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REPORT OF THE GOVERNING COUNCIL OF THE UNITED NATIONS ENVIRONMENT PROGRAMME*

(Seventeenth session)

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* The present document is a mimeographed version of the report of the Governing Council of the United Nations Environment Programme on its seventeenth session. The report will be issued subsequently as Official Records of the General Assembly, Forty-eighth Session, Supplement No. 25 (A/48/25).

Report of the Governing Council on the work of its seventeenth session*

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* The full proceedings of the Council on the work of its seventeenth session, containing, inter alia, chapters on the discussions in plenary meetings and the reports of the sessional committees, is being circulated to Governments under the symbol UNEP/GC.17/32.

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INTRODUCTION

1. The seventeenth session of the Governing Council of the United Nations Environment Programme (UNEP) was held at UNEP headquarters, Nairobi, from 10 to 21 May 1993. The Council adopted the present report at the 10th meeting of the session, on 21 May 1993.

CHAPTER I

ORGANIZATION OF THE SESSION

A. Opening of the session

2. The seventeenth session of the UNEP Governing Council was opened on 10 May 1993 by Mr. L. P. J. Mazairac (Netherlands), President of the Council at its sixteenth session, who outlined the main tasks before the Council at the session in the light of the outcome of the United Nations Conference on Environment and Development (UNCED) and the changing world situation in the post-Cold War era.

3. At the opening meeting of the session, the Council heard a statement by the Executive Director of UNEP. The statement was subsequently circulated under the symbol UNEP/GC.17/28/Add.1.

B. Attendance

4. The following 54 States members of the Governing Council 1/ were represented at the session:

Argentina
Australia
Austria
Bangladesh
Barbados
Botswana
Brazil
Burundi
Cameroon
Chile
China
Colombia
Congo
Côte d'Ivoire
Denmark
France
Gabon
Gambia
Germany
India
Indonesia
Iran (Islamic Republic of)
Italy
Japan
Kenya
Kuwait
Lesotho
Malaysia
Mauritius
Mexico
Netherlands
New Zealand
Nigeria
Norway
Pakistan
Peru
Philippines
Poland
Portugal
Romania
Russian Federation
Rwanda
Senegal
Slovakia
Spain
Sri Lanka
Thailand
Tunisia
United Kingdom of Great Britain and Northern Ireland
United States of America
Uruguay
Venezuela
Zaire
Zimbabwe

5. The following States not members of the Governing Council, but Members of the United Nations or members of a specialized agency or of the International Atomic Energy Agency, were represented by observers:

Algeria
Armenia
Belgium
Benin
Burkina Faso
Canada
Central African Republic
Costa Rica
Croatia
Cuba
Czech Republic
Djibouti
Egypt
Ethiopia
Finland
Ghana
Greece
Guinea
Holy See
Hungary
Iceland
Iraq
Israel
Jordan
Malawi
Maldives
Mali
Monaco
Morocco
Mozambique
Nepal
Oman
Panama
Republic of Korea
Saudi Arabia
Seychelles
Slovenia
South Africa
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Togo
Turkey
Uganda
United Republic of Tanzania
Yemen
Zambia

6. The following United Nations bodies and Secretariat units were represented:

Economic Commission for Latin America and the Caribbean (ECLAC)
Economic Commission for Africa (ECA)
United Nations Centre for Human Settlements (Habitat)
United Nations Development Programme (UNDP)
United Nations Institute for Training and Research (UNITAR)
United Nations Population Fund (UNFPA)
United Nations Sudano-Sahelian Office (UNSO)
Intergovernmental Panel on Climate Change (IPCC)
International Programme on Chemical Safety (IPCS)

7. The following specialized agencies were represented:

International Labour Organisation (ILO)
Food and Agriculture Organization of the United Nations (FAO)
General Agreement on Tariffs and Trade (GATT)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
International Civil Aviation Organization (ICAO)
World Health Organization (WHO)
World Bank
International Maritime Organization (IMO)
World Meteorological Organization (WMO)
World Intellectual Property Organization (WIPO)
United Nations Industrial Development Organization (UNIDO)

The International Atomic Energy Agency (IAEA) was also represented.

8. The following other intergovernmental organizations were represented:

Arab League Educational, Cultural and Scientific Organization (ALECSO)
Commission of the European Communities
Intergovernmental Oceanographic Commission (IOC) of UNESCO
League of Arab States
Organisation for Economic Cooperation and Development (OECD)
Organization of African Unity (OAU)
Preferential Trade Area for Eastern and Southern Africa
World Tourism Organization (WTO)

9. In addition, 27 international non-governmental organizations were represented by observers.

10. Palestine and the Pan Africanist Congress of Azania were also represented.

C. Election of officers

11. At the opening meeting of the session, the Council elected the following officers by acclamation:

President: Dr. E. O. A. Aina (Nigeria)

Vice-Presidents: Mr. E. Libid (Philippines)
Mr. A. Lizarralde-Maradey (Venezuela)
Mr. E. Fiil (Denmark)

Rapporteur: Mr. A. T. Kowalewski (Poland)

12. In his acceptance statement, the President said that, at UNCED, the mandate of UNEP had been expanded to include new priorities that had major policy implications. At its current session, the Council was expected to map out precise directions to the secretariat as to where those priorities should lie. Progress must be made by building on the success that had been achieved in order to narrow the gap between the developed and developing countries. Concrete efforts also had to be made to establish a new and more equitable international economic order. Calling on all delegations to help make the Council's deliberations fruitful, he stressed that the importance of the environment in sustainable development could not be overemphasized, since environment permeated all aspects of human life, influenced social and economic development, as well as trade, and was decisive for all lives on Earth. Reaffirming the crucial need for global cooperation in translating into reality the various resolutions and programmes geared towards saving the Earth from further degradation, he wished all present success in their work at the session.

D. Credentials of representatives

13. In accordance with rule 17, paragraph 2, of the rules of procedure of the Council, the Bureau examined the credentials of representatives attending the session. The Bureau found the credentials in order and so reported to the Council, which approved the Bureau's report at the 9th meeting of the session, on 20 May.

E. Agenda

14. At the opening meeting of the session, the Council adopted the following agenda for the session on the basis of the provisional agenda approved by the Council at its sixteenth session (UNEP/GC.17/1):

1. Opening of the session.
2. Organization of the session:
    - (a) Election of officers;
    - (b) Adoption of the agenda and organization of the work of the session.
3. Credentials of representatives.
4. Policy issues:
    - (a) General policy issues;
    - (b) Issues arising from the resolution of the General Assembly at its forty-seventh session on the recommendations of the United Nations Conference on Environment and Development.
5. State of the environment.
6. Coordination:
    - (a) Coordination within the United Nations system;
    - (b) Other coordination.
7. Programme matters, including the implementation of the Plan of Action to Combat Desertification.
8. The Environment Fund, other financial matters and administration.
9. Provisional agenda, date and place of the eighteenth session of the Council.
10. Other business.
11. Adoption of the report.
12. Closure of the session.

F. Organization of the work of the session

15. At the opening meeting of the session, the Governing Council considered and approved the organization of the work of the session in the light of the recommendations contained in the annotated provisional agenda (UNEP/GC.17/1/Add.1) and the timetable of meetings suggested by the Executive Director (UNEP/GC.17/1/Add.1, annex I).

16. In accordance with rule 60 of its rules of procedure and following the organizational structure for its sessions decided upon at its fifteenth session (decision 15/1, sect. II, para. 2, of 25 May 1989), the Governing Council, at

its opening meeting, established two sessional committees of the whole, a Programme Committee to deal with programme matters, and a Fund Committee to deal with the Environment Fund and administrative and other financial matters. The Council decided that the Programme Committee should be allocated, in addition to agenda item 7 (Programme matters, including the implementation of the Plan of Action to Combat Desertification), those parts of agenda item 6 (a) (Coordination within the United Nations system) covered by the joint progress report of the Executive Directors of UNEP and Habitat (UNEP/GC.17/4) and the parts of the 1991 and 1992 reports of the Administrative Committee on Coordination (UNEP/GC.17/11 and UNEP/GC.17/12) dealing with the coordination and follow-up of the Plan of Action to Combat Desertification. The Council also decided that the Fund Committee should be allocated agenda item 8 (The Environment Fund, other financial matters and administration). It further decided that each Committee might wish to consider those parts of the report of the Executive Director on the future course of the United Nations Environment Programme (UNEP/GC.17/28) that were pertinent to the issues referred to it, and in particular:

(a) In the case of the Programme Committee, part IV, sections A (The UNEP programme for 1994-1995 and implementation of Agenda 21) and B (International coordinating machinery for Agenda 21) of the Executive Director's report;

(b) In the case of the Fund Committee, part II (New directions in management of UNEP), and part IV, sections C (UNEP management and organization study), D (The Global Environment Facility) and E (The financial situation) of the report.

17. It was agreed that the two sessional committees would meet concurrently during the first week of the session to complete their work by the afternoon of Friday, 14 May. Plenary would recommence at the ministerial or equivalent level, on Monday, 17 May, in keeping with section II, paragraph 2 (b), of Council decision 15/1, to discuss major policy issues and the remaining items of the agenda.

18. The Council also agreed that the Programme Committee and Fund Committee should be chaired, respectively, by Mr. Lizarralde-Maradey (Venezuela) and Mr. Fiil (Denmark), Vice-Presidents of the Council. The Council also decided that Mr. Libid (Philippines), Vice-President of the Council, would assist the President in the performance of his functions related to plenary.

19. The Council further decided to establish an informal open-ended negotiating group under the chairmanship of Mr. Libid (Philippines), Vice-President of the Council, with a core membership of two representatives from each regional group to consider the texts of draft policy decisions before their submission to the plenary meeting of the Council for formal consideration.

20. At the 2nd meeting of the session, convened on Friday, 14 May 1993, the President announced his intention to establish an informal group of Friends of the President to examine and help finalize the report on the Governing Council's plans to implement Agenda 21, as outlined in document UNEP/GC.17/27. That report, he stated, could subsequently be channelled through the negotiating group or could be submitted directly to the Council. The President proposed that the informal Friends of the President group should comprise two representatives from each of the regional groupings.

21. After a lengthy discussion on procedural issues among the representatives, the Council agreed that all draft decisions, including those emanating from the sessional committees and the report of the Friends of the President, be

submitted to the informal open-ended negotiating group for subsequent submission to the Council for formal consideration.

G. Work of the sessional committees

22. The Programme Committee, under the chairmanship of Mr. Lizarralde-Maradey (Venezuela) held 11 meetings, from 10 to 15 May. At its 1st meeting, it approved the proposals for the organization of its work as contained in document UNEP/GC.17/PC/L.1, which were subsequently slightly modified at its 2nd meeting, on 10 May (see UNEP/GC.17/PC/L.1/Corr.1). At its 3rd meeting, on 11 May, it elected Dick C. de Bruijn (Netherlands) as Rapporteur.

23. The Council took note of the Committee's report (UNEP/GC.17/31) at its 9th plenary meeting, on 20 May 1993.

24. The Fund Committee, under the chairmanship of Mr. Fiil (Denmark), held 10 meetings, from 10 to 14 May. At its 1st meeting, on 10 May, it approved the proposals for the organization of its work as contained in document UNEP/GC.17/FC/L.1. At its 2nd meeting, on 10 May, it elected Mr. Jusuf P. Nugroho (Indonesia) as Rapporteur.

25. The Council took note of the Committee's report (UNEP/GC.17/30) at its 9th plenary meeting, on 20 May.

CHAPTER II

MATTERS REQUIRING THE SPECIFIC ATTENTION OF THE GENERAL ASSEMBLY AND/OR THE ECONOMIC AND SOCIAL COUNCIL

A. Date and place of the eighteenth session of the Governing Council

26. At its 9th plenary meeting, on 20 May 1993, the Governing Council decided that its eighteenth regular session would be held at Nairobi from 15 to 26 May 1995.

B. Special session of the Governing Council to consider and approve the United Nations system-wide medium-term environment programme

27. By paragraph 2 of its resolution 42/185 of 11 December 1987, the General Assembly decided that the Governing Council shall hold a special one-week session every six years, beginning in 1988, to consider and approve the system-wide medium-term environment programme and to consider the global programme on the environment of the proposed United Nations medium-term plan. However, at its seventeenth session, having considered the report of the Executive Director on implementation and mid-term review of the United Nations system-wide medium-term environment programme for 1990-1995 (UNEP/GC.17/6), the Council, by paragraph 2 of its decision 17/16 of 21 May 1993 (see annex below), endorsed the Executive Director's recommendation to assess the future arrangements for meeting the need for a strategy and planning document, in view of the new United Nations system-wide coordination arrangements being established. It further requested the Executive Director, by paragraph 3 of the same decision, to report to the Council at its regular session in 1995 on the need for a United Nations system-wide strategy and planning document in the field of the environment. The Council therefore made no plans for the holding of a special session in 1994.

C. Provision of language facilities for the Committee of Permanent Representatives

28. The Governing Council, by its decision 15/12 of 25 May 1989, decided to recognize the requirements for full language services for meetings of the Committee of Permanent Representatives and to provide them as soon as funding for the costs of those services could be provided from the regular budget of the United Nations. In submitting proposals to the Secretary-General for the regular budget for 1992-1993 in respect of UNEP, the Executive Director included provisions for full language services for the Committee of Permanent Representatives. Those were not, however, retained by the Secretary-General in his proposed programme budget for 1992-1993. In its resolution 46/185 C, section XI, of 20 December 1991, the General Assembly took note of the report of the Secretary-General on the matter and endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions that 25 per cent of the costs for providing full language services to the Committee of Permanent Representatives should be included under the United Nations regular budget. Following the adoption of the resolution by the General Assembly, the Executive Director informed the Secretary-General that, pending consideration of the question by the Governing Council at its seventeenth session, resources from the Environment Fund could not be made available for the provision of language services to the Committee of Permanent Representatives. Agreement was

subsequently reached that the costs of interpretation for the Committee of Permanent Representatives for 1992 and for the first half of 1993 (that is, up to the seventeenth session of the Governing Council) would be borne by the regular budget and that the matter would be presented to the Governing Council at its seventeenth session.

29. The Council, by its decision 17/36 of 21 May 1993, having considered the Executive Director's report on the subject (UNEP/GC.17/17/Add.1) and bearing in mind that the majority of countries took the view that those costs should be borne in full by the regular budget of the United Nations, urged the Executive Director to request the Secretary-General to reconsider his proposal on the financing of interpretation facilities for the Committee of Permanent Representatives, with a view to having the costs borne by the regular budget of the United Nations.

D. International conventions and protocols in the field of the environment

30. In paragraph 2 of its decision 17/12 of 21 May 1993, the Governing Council authorized the Executive Director to transmit, on its behalf, her report on international conventions and protocols in the field of the environment (UNEP/GC.17/10 and Corr.1 and 2), together with the comments of the Governing Council thereon, to the General Assembly at its forty-eighth session, in accordance with Assembly resolution 3436 (XXX) of 9 December 1975.

E. Report of the Governing Council of the United Nations Environment Programme on plans to implement Agenda 21 of the United Nations Conference on Environment and Development

31. In paragraph 25 of its resolution 47/191 of 22 December 1992, the General Assembly requested the Governing Council to examine the relevant provisions of chapter 38 of Agenda 21 2/ and to submit a report on its specific plans to implement Agenda 21 to the General Assembly at its forty-eighth session, through the Commission on Sustainable Development and the Economic and Social Council. In paragraphs 21 and 22 of the same resolution, the Assembly called for reports to be made on the steps taken to implement Agenda 21.

32. In response to those requests, the Governing Council, at its 10th meeting, on 21 May 1993, adopted its report on plans to implement Agenda 21, which outlines the principal decisions related to UNCED follow-up by UNEP adopted by the Council at its seventeenth session, as well as the activities of UNEP related to that follow-up. The report, as requested, is being submitted to the Assembly, through the Commission on Sustainable Development and the Economic and Social Council.

F. Desertification, including the contribution of UNEP to the Intergovernmental Negotiating Committee for the elaboration of an international convention to combat desertification

33. In response to General Assembly resolutions 35/73 of 5 December 1980 and 39/168 B of 17 December 1984, by which the Assembly requested the Governing Council to continue to report every other year to the Assembly, through the Economic and Social Council, on the overall implementation of the Plan of Action to Combat Desertification and to make the necessary arrangements at each session for submitting a report to the Assembly, through the Economic and Social Council, on the implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification, the Governing Council, by paragraph 2 of its decision 17/19 A of 21 May 1993, authorized the Executive Director to submit her report on the implementation of the Plan of Action to Combat Desertification in 1991 and 1992 (UNEP/GC.17/14), which includes a report on the implementation of the Plan of Action in the Sudano-Sahelian region, on behalf of the Council, through the Economic and Social Council, to the General Assembly at its forty-eighth session.

34. In response to paragraph 8 of General Assembly resolution 47/188 of 22 December 1992, on establishment of an intergovernmental negotiating committee for the elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa, in which the Assembly invited the United Nations Environment Programme to make appropriate contributions to the work of the Intergovernmental Negotiating Committee in the conduct of its mandate, the Governing Council, by paragraph 8 of its decision 17/19 A of 21 May 1993, requested the Executive Director to continue to cooperate fully, within existing resources, in the preparations for the desertification convention by the Intergovernmental Negotiating Committee, inter alia, by making available the scientific and technical resources of the secretariat. The Council also, by paragraph 2 of its decision 17/2 of 21 May 1993, endorsed the actions proposed by the Executive Director relating to the international convention, as contained in her report on additional proposed follow-up actions to resolutions related to the United Nations Conference on Environment and Development adopted by the General Assembly at its forty-seventh session (UNEP/GC.17/20, paras. 5-7). Those actions include, in particular, putting at the disposal of the conference secretariat all the information and data UNEP has compiled over the past 15 years about desertification and, in particular, the detailed and comprehensive report prepared by UNEP at a cost of over $1 million and submitted to UNCED through the Preparatory Committee of UNCED at its fourth session.

G. Global Conference on Sustainable Development of Small Island Developing States

35. With regard to the Global Conference on Sustainable Development of Small Island Developing States, to be held in 1994 in accordance with General Assembly resolution 47/189 of 22 December 1992, the Council, also by paragraph 2 of its decision 17/2, endorsed the follow-up actions proposed by the Executive Director relating to the Conference as contained in her report referred to in paragraph 34 above (UNEP/GC.17/20, paras. 3-4). Those actions include: making available to the Conference organizers UNEP's extensive experience and information on island environments; encouraging the regional seas programmes for the Caribbean and the South Pacific and the small island States in the regional seas programmes for Eastern Africa, West Africa and South Asia to become actively involved in the regional technical meetings to prepare substantive contributions to the Conference; and cooperating in any other possible way in

the organization of the Global Conference. The Executive Director also expressed the hope in her report that the Conference results would be fully integrated with existing international agreements, ongoing programmes and regional organizations to ensure the effective implementation of Conference decisions.

H. United Nations Centre for Urgent Environmental Assistance

36. The General Assembly, by paragraph 26 of its decision 47/191 of 22 December 1992, inter alia, invited the Governing Council to report to the Assembly at its forty-eighth session on the experience gained within the United Nations Centre on Urgent Environmental Assistance, which had been established at the beginning of 1992, on an experimental basis, for a period of 18 months. However, at its seventeenth session, the Council, in its decision 17/26 of 21 May 1993, having taken note of the report of the Executive Director on the experimental stage of the Centre (UNEP/GC.17/29) and welcoming with appreciation the support and assistance extended to the Centre, by Governments, the European Community and United Nations agencies, decided to extend the experimental stage of the Centre for a further 12 months. It also decided, by paragraph 4 of the same decision, that, during the extended period, the Centre should restructure its present activities to focus its capacities to address the mandate laid out in that paragraph. By paragraph 5 of the same decision, it requested the Centre to convene a governmental advisory meeting in November 1993 for a first consideration of the findings of the exercise called for in paragraphs 4 (a) and (b) of the decision and an initial drafting of proposals for decision. By paragraph 7 of the decision, the Executive Director was requested to submit a final comprehensive report and recommendations to Governments, through the Committee of Permanent Representatives, for decision at the end of the 12-month period.

I. Protection of the marine environment from land-based activities

37. In paragraph 17.26 of Agenda 21, endorsed by the General Assembly in its resolution 47/190 of 22 December 1992, the Governing Council was invited to convene, as soon as practicable, an intergovernmental meeting on protection of the marine environment from land-based activities. In response to that invitation, the Council, in its decision 17/20 of 21 May 1993, inter alia, authorized the Executive Director to implement the UNCED recommendations and decided on a workplan, timetable and budget for the preparatory process and the intergovernmental conference itself, which will be held in Washington, D.C.

J. Intergovernmental Forum on Chemical Risk Assessment and Management

38. In paragraph 19.76 of Agenda 21, endorsed by the General Assembly in its resolution 47/190 of 22 December 1992, the executive heads of the World Health Organization (WHO), the International Labour Organisation (ILO) and UNEP were invited to convene an intergovernmental meeting within one year, which could constitute the first meeting of the intergovernmental forum, called for by a meeting of government-designated experts held in London in 1991.

39. In response to that invitation, the Council, in its decision 17/29 of 21 May 1993, having noted the offer of the Government of Sweden to host such a meeting in Stockholm in April 1994, requested the Executive Director to convene,

together with the executive heads of WHO and ILO, a meeting of experts from Governments and relevant intergovernmental organizations that could constitute the first Intergovernmental Forum on Chemical Risk Assessment and Management and to consider the necessary implications for the 1994-1995 programme budget.

K. The environmental effects of the conflict between Iraq and Kuwait

40. The General Assembly, in paragraph 2 of its resolution 47/151 of 18 December 1992, called upon the organizations and programmes of the United Nations system, in particular the International Maritime Organization and the United Nations Environment Programme, to pursue their efforts to assess the short-term as well as the long-term impact of the environmental degradation of the region affected by conflict between Iraq and Kuwait and to consider measures that might be needed to counteract those effects.

41. At its seventeenth session, having considered the matter and noting that the updated report on the environmental effects of the conflict between Iraq and Kuwait (UNEP/GC.17/INF.9) was not satisfactory and did not fully reflect the real devastation and damages to the environment in the region, and recognizing that proper assessment of the long-term impacts of the burnt oil wells and the massive oil spill on different environmental aspects, as well as the public health of the region, would require further detailed investigations, the Governing Council, by its decision 17/7 of 21 May 1993, requested the Executive Director to continue with the leading role of UNEP in coordinating the efforts of the United Nations as well as other international organizations to assess fully the environmental situation, to support programmes of the Regional Organization for the Protection of the Marine Environment on the issue and to mobilize funds needed for different assessment and rehabilitation programmes.

CHAPTER III

ADOPTION OF DECISIONS 3/

Cooperation and linkages between the United Nations Environment Programme and other relevant United Nations bodies (decision 17/1)

42. At the 10th meeting of the seventeenth session, on 21 May 1993, the Governing Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.22/Add.1, draft decision 2).

43. The representative of India, supported by several other delegations, proposed that the word "staff" and the phrase "through secondment and other appropriate means" should be deleted from paragraph 3 of the draft, in order to ensure that there was no weakening of UNEP headquarters. After a lengthy discussion in which a number of representatives took part, the proposed amendment was withdrawn.

44. The draft decision was adopted by consensus.

45. Speaking in explanation of position after the adoption of the decision, the representative of India said that he had withdrawn his amendment on the understanding that the text was not intended to weaken UNEP headquarters.

46. The representative of Denmark, speaking on behalf of States members of the European Community that are members of the Council, said that the understanding of those States was the same as that of India. Effective UNEP participation in the follow-up to UNCED was not intended to weaken the Nairobi headquarters.

47. The representative of the United States said that he wished to echo the statement made by the representative of Denmark. The intent of the decision was entirely to strengthen, not weaken UNEP. The Commission on Sustainable Development and the Global Environment Facility were established facts and would play key roles in the future actions to follow up UNCED. His delegation believed that UNEP must play a close and active role in coordinating with those two institutions, including with their secretariats. If UNEP did not play such a role, it could be marginalized, that is, weakened, not strengthened. His delegation believed that the motive of all those delegations who spoke in favour of the proposed amendment was, in fact, the same as his own - to strengthen UNEP - and he hoped that the decision would be understood and accepted in that spirit.

48. The representative of Kenya said that his delegation understood that the decision would not mean a weakening of UNEP headquarters.

Additional proposed follow-up actions to resolutions adopted by the General Assembly related to the United Nations Conference on Environment and Development (decision 17/2)

49. Also at the 10th meeting of the session, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.22/Add.1, draft decision 3).

50. The draft decision was adopted by consensus.

Annual reports of the Executive Director (decision 17/3)

51. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.22), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.4, annex).

52. The draft decision was adopted by consensus.

The United Nations Environment Programme and the role of women in environment and development (decision 17/4)

53. At the same meeting, the Council had before it a draft decision on this subject submitted by Austria, Australia, Canada, Chile, China, Denmark, Finland, Iceland, Italy, Kenya, Nigeria, Norway, Slovakia, Sweden, Switzerland, the United Republic of Tanzania, the United States of America, the United Kingdom and Zimbabwe (UNEP/GC.17/L.18/Rev.1).

54. The draft decision was adopted by consensus.

Application of environmental norms by military establishments (decision 17/5)

55. At the same meeting, the Council had before it a draft decision on this subject, submitted by Denmark, Finland, Iceland, Norway and Sweden (UNEP/GC.17/L.19/Rev.1).

56. The draft decision was adopted by consensus.

57. The representative of the United States of America, speaking in explanation of position after the adoption of the decision, said that his delegation, in a spirit of harmony, had chosen not to obstruct agreement on the decision. However, it did wish to dissociate itself from the consensus, for three reasons. First, it believed that UNEP did not have the expertise to deal with military issues. Secondly, the decision went beyond paragraph 20.22 of Agenda 21: countries should report to the Commission on Sustainable Development, and not to UNEP, on activities related to the overall follow-up to the Conference. Thirdly, his delegation believed that UNEP did not have the resources to become involved in another area that could involve significant demands in terms of both time and staff.

58. The representative of India said that his delegation, too, had difficulties with the decision. While it sympathized with the purpose, it had not received instructions from its Government and would dissociate itself from the decision.

59. The representative of China said that his delegation shared the views expressed by India. Environmental protection was a basic national policy in his country and it was followed by the military sector. However, the decision introduced a new issue for UNEP, and there might be problems in implementing it. His delegation, too, had not received instructions from its Government.

60. The representatives of Malaysia, Brazil and Mexico also expressed reservations about the decision and dissociated themselves from the consensus.

State-of-the-environment reports (decision 17/6)

61. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.25, draft decision 1), prepared on the basis of

an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.3, annex).

62. The draft decision was adopted by consensus.

The environmental effects of the conflict between Iraq and Kuwait (decision 17/7)

63. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.25/Add.1, draft decision 2).

64. The draft decision was adopted by consensus.

65. Speaking in explanation of positions after the adoption of the decision, the representative of the United States said that his delegation believed that the updated report referred to in the second preambular paragraph of the decision was complete and satisfactory.

Memoranda of understanding concerning cooperation between the United Nations Environment Programme and other organizations of the United Nations system (decision 17/8)

66. At the same meeting, the Council had before it a draft on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.23, draft decision 1) prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.5, annex, draft decision 1).

67. The draft decision was adopted by consensus.

The 1991 and 1992 reports of the Administrative Committee on Coordination (decision 17/9)

68. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.23, draft decision 2), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.5, annex, draft decision 2).

69. The draft decision was adopted by consensus.

Cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) (decision 17/10)

70. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.23/Add.1).

71. The draft decision was adopted by consensus.

Future reports of the Administrative Committee on Coordination to the Governing Council (decision 17/11)

72. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.23/Add.2, draft decision 4).

73. The draft decision was adopted by consensus.

International conventions and protocols in the field of the environment (decision 17/12)

74. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 1), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 1).

75. The draft decision was adopted by consensus.

Carriage of irradiated nuclear fuel by sea (decision 17/13)

76. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 2), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 4).

77. The draft decision was adopted by consensus.

Control of transboundary movements of hazardous wastes and their disposal (decision 17/14)

78. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 3), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 5).

79. The draft decision was adopted by consensus.

Proposals for an update of the list of selected environmentally harmful chemical substances, processes and phenomena of global significance (decision 17/15)

80. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 5).

81. The draft decision was adopted by consensus.

Implementation and mid-term review of the United Nations system-wide medium-term environment programme for 1990-1995 (decision 17/16)

82. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 6).

83. The draft decision was adopted by consensus.

84. Speaking in explanation of position after the adoption of the decision, the representative of the United States drew attention to the comments made by the United States on the subject in the Programme Committee, which had been recorded in the Committee's report (UNEP/GC.17/31), as follows:

> "317. One representative noted that adequate and effective cooperation and coordination in the United Nations system was of critical importance in UNCED follow-up. SWMTEP had been a useful compilation of information concerning the environmental activities of the United Nations system, but

it had not been an effective programming tool. In that respect he strongly supported the need for an effective planning and strategy process in the field of the environment, as was used in preparing SWMTEP itself, as well as the document before the Council. Document UNEP/GC.17/12/Add.1 4/ also had a bearing on how new inter-agency arrangements should ensure continuation of the process that underlay preparation of SWMTEP and the integration of the results of the process of compiling and discussing coordination of United Nations environmental activities into a system-wide sustainable development strategy to be developed through the Inter-Agency Committee on Sustainable Development (IACSD) of the Administrative Committee on Coordination (ACC).

"318. That representative was of the opinion that the tighter the coordination within the United Nations system, the more effective would be the system's response to UNCED. In that respect, a system-wide strategy for sustainable development should be developed through IACSD with the full participation of the successor group to the DOEM. The resulting strategy or programme could range from a loose coordination framework to a SWMTEP-type of document or a centralized master plan for the United Nations system with centralized coordination and decentralized implementation. Serious efforts would have to be made for a division of labour within the United Nations system and the resulting document could go to the Commission on Sustainable Development for its comment and eventually to the Economic and Social Council for approval. A critical factor that would determine the success of such a document would be if it encouraged adoption and implementation by the various governing bodies in the system and the support of Governments in ensuring that individual agencies, programmes and entities acted in accordance with the strategy or programme document."

Transfer of environmentally sound technology (decision 17/17)

85. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 7).

86. The draft decision was adopted by consensus.

Environmentally sound management of hazardous wastes (decision 17/18)

87. At the same meeting, the Council had before it a draft decision on this subject submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21, draft decision 8), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7/Add.1, annex).

88. The draft decision was adopted by consensus.

Desertification (decisions 17/19 A to C)

89. At the same meeting, the Council had before it three draft decisions on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21 and Add.1, draft decisions 4, 9 and 10), prepared on the basis of earlier drafts on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decisions 7, 8 and 9).

90. The draft decisions were adopted by consensus.

Protection of the marine environment from land-based activities (decision 17/20)

91. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.2, draft decision 11), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 6).

92. The draft decision was adopted by consensus.

International environmental technology centres (decision 17/21)

93. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.2, draft decision 12), prepared on the basis of an earlier draft submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 2).

94. The draft decision was adopted by consensus.

Environmental indicators (decision 17/22)

95. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.3, draft decision 13).

96. On the proposal of the representative of Saudi Arabia, the Council decided to insert a new operative paragraph 2 in the draft decision, by which it would recognize that the subject of environmental indicators was a cross-cutting issue.

97. The draft decision, as orally amended, was adopted by consensus.

Urgent measures for the conservation of the African elephant and African and Asian populations of the rhinoceros (decision 17/23)

98. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.3, draft decision 14).

99. The draft decision was adopted by consensus.

Climate (decisions 17/24 A to C)

100. At the same meeting, the Council had before it three draft decisions on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.3, draft decisions 15, 16 and 17).

101. The draft decisions were adopted by consensus.

Programme for the Development and Periodic Review of Environmental Law (decision 17/25)

102. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.4), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.7, annex, draft decision 3).

103. The representative of Brazil said, and the Council agreed, that the informal negotiating group had decided that an additional preambular paragraph should be inserted in the draft decision, by which the Council would take note of chapter 39 of Agenda 21.

104. The draft decision, as orally corrected by the representative of Brazil, was adopted by consensus.

105. Speaking in explanation of position after the adoption of the decision, the representative of Colombia said that her delegation recognized the major contribution of UNEP in the field of environmental law, as well as the need for the future development of the subject. It did, however, have to refrain from approving the Programme annexed to the decision, since it contained elements that had been the subject of comment by her country's experts on environmental law.

United Nations Centre for Urgent Environmental Assistance (decision 17/26)

106. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.5, draft decision 19).

107. The draft decision was adopted by consensus.

Action for countries with economies in transition (decision 17/27)

108. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.6, draft decision 20).

109. The draft decision was adopted by consensus.

The United Nations Environment Programme and the strengthening of the regional offices (decision 17/28)

110. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.21/Add.6, draft decision 21), prepared on the basis of earlier drafts on the same subject submitted by Argentina, Chile, Colombia, Mexico, Panama, Peru and Uruguay (UNEP/GC.17/L.14) and by the Gambia, on behalf of the African Group (UNEP/GC.17/L.16), as well as an informal proposal by Australia.

111. The Secretary made oral corrections to the third preambular paragraph and paragraph 2 (a) of the draft decision.

112. The draft decision, as orally corrected, was adopted by consensus.

113. Speaking in explanation of position after the adoption of the decision, the representative of Brazil said that his delegation would have preferred the proposals by the Executive Director called for by the decision to be submitted to Governments before final implementation.

Intergovernmental forum on chemical risk assessment and management (decision 17/29)

114. At the same meeting, the Council had before it a draft decision on this subject, submitted by Denmark, Finland, Iceland, Norway and Sweden (UNEP/GC.17/L.13).

115. The draft decision was adopted by consensus.

Convention on Biological Diversity (decision 17/30)

116. At the same meeting, the Council had before it a draft decision on this subject, submitted by Australia, Canada, Chile, China, Denmark, Finland, Iceland, Kenya, Mauritius, Norway, Senegal, Sweden and the United Republic of Tanzania (UNEP/GC.17/L.11).

117. The draft decision was adopted by consensus.

Environmental situation in the occupied Palestinian and other Arab territories (decision 17/31)

118. At the same meeting, the Council had before it a draft decision on this subject submitted by Kuwait, Malaysia and Tunisia (on behalf of the Arab Group) (UNEP/GC.17/L.15).

119. The representative of Iran said that his delegation had reservations regarding the last preambular paragraph of the draft decision, which made unjustified reference to the so-called Middle East peace negotiations. As for the rest of the draft decision, his delegation acknowledged its merit and considered the content very positive and technical in nature and, as such, fully supported it.

120. The representative of Israel said that his delegation objected to both the spirit and the content of the draft. The draft, far from being technical, was politically motivated and irrelevant with respect to UNEP. It referred to Security Council resolutions that did not deal with the environment. Such matters should be discussed in other forums. It distracted UNEP from its task, and a dangerous precedent would be set if countries brought their conflicts to UNEP. The draft was one-sided and ignored the profound changes in Israel and the region, as well as the fact that direct negotiations were taking place in a genuine effort to reach a solution. The draft could hamper those efforts. His delegation believed that the draft was hostile, political and anti-Israel, and he would treat it as such. He hoped that it would not receive support from the Council.

121. The representative of Tunisia said that the draft was purely technical. Its language was very moderate throughout and devoid of political connotations. All that was sought was information on the state of the environment in the area, including information on the changes that had occurred. He hoped that the draft would be adopted by consensus.

122. The representative of Kuwait said that the draft was balanced and called for information on the deteriorating environmental situation in the occupied Palestinian and Arab territories. He hoped that the Council would approve it.

123. At the request of the representative of the United States of America, a vote on the draft decision was taken by roll-call. The draft decision was adopted by 15 votes to 1, with 34 abstentions. The voting was as follows:

In favour:	Bangladesh, Brazil, Chile, China, Indonesia, Iran (Islamic Republic of), Kuwait, Malaysia, Mexico, Pakistan, Peru, Philippines, Thailand, Tunisia, Venezuela.
Against:	United States of America.

Abstaining: Argentina, Australia, Austria, Barbados, Botswana, Burundi, Cameroon, Colombia, Congo, Côte d'Ivoire, Denmark, France, Gabon, Gambia, Germany, India, Italy, Japan, Kenya, Lesotho, Mauritius, Netherlands, New Zealand, Nigeria, Norway, Poland, Romania, Russian Federation, Rwanda, Slovakia, Spain, United Kingdom, Uruguay, Zimbabwe.

124. Speaking in explanation of vote after the adoption of the decision, the representative of the United States said that his Government had to oppose the decision. As the Council was aware, the multilateral working group on the environment of the Middle East peace process was convening that month. That group included many parties in the region and received contributions from many parties from outside the region. The United Nations participated fully as an extra-regional participant in the group. His Government found it highly unusual that a United Nations governing body would support a decision that bore so closely on matters being addressed elsewhere in a forum that benefited from the support and participation of the United Nations itself, as well as that of the parties in the region.

125. The representative of Australia said that his Government supported all international actions to halt environmental deterioration but was opposed to the politicization of debate in, and action by, technical bodies of the United Nations.

126. The representative of Denmark, speaking on behalf of the States members of the European Community that are members of the Council, said that those States had abstained on the decision because it went beyond what was appropriate for a decision adopted by a technical body such as the Governing Council of UNEP. The European Community and the member States fully supported the Middle East peace process based on the Security Council resolutions and its endeavours to find a just and lasting solution to the Arab/Israel conflict and the Palestinian question.

127. The representative of Japan said that his Government had been making a great effort to contribute to the Middle East peace process, particularly by chairing the working group on environmental issues in the multilateral negotiations, and therefore fully understood the importance of environmental issues in Palestine. However, since UNEP was a technical body, which dealt with technical matters, his delegation did not think it appropriate for such a decision to be taken up in the Council. That was why his delegation had abstained in the vote.

128. The representative of the Russian Federation, speaking on behalf of the members of the Eastern European Group that were also members of the Council, said that those States had abstained for the same reasons as those outlined by the representative of Denmark. They did, however, support the Security Council and General Assembly resolutions, as well as the Middle East peace negotiations.

129. The representative of India said that his Government's policy was well known. It supported the Middle East peace process, but there were elements in the draft decision that went beyond environmental issues. His delegation had therefore abstained in the vote.

130. The representative of Norway said that Norway had abstained in the vote on the draft and would like to associate itself with the statement made by the representative of Denmark.

131. The representative of Poland said that his delegation's position was the same as that expressed by the representative of Denmark. His Government

strongly supported the peace negotiations and hoped that they would be successful. However, the task of the Governing Council was to consider environmental problems. Poland had therefore abstained in the vote.

132. The observer for the Syrian Arab Republic expressed his gratitude to all delegations that had supported the draft decision, which was complementary to those decisions that the Council had adopted in the past. The decision touched on purely environmental issues, such as the diversion of rivers, the degradation of land, the cutting of forests and the deportation of people. Agreeing that environmental issues should not be politicized, he said that the Arab people fervently wanted peace and were grateful to all those who supported them in that regard. It did, however, feel that, the peace process notwithstanding, the report on the environmental situation in the occupied Palestinian and other Arab territories had to be completed.

133. The representative of Austria said that his Government supported the Middle East peace process and participated actively in the working group on water resource development in the area, which was recognized as an important contribution to the peace efforts by all parties involved. However, UNEP as a technical body of the United Nations system, should refrain from political issues dealt with in the appropriate forums. His delegation had therefore abstained in the vote.

134. The representative of Argentina said that his delegation had considered it necessary to abstain in the vote, since the decision might go beyond the technical aspects of the issue.

The Environment Fund: use of resources in 1992-1993 and proposed use of projected resources in 1994-1995 and 1996-1997 (decision 17/32)

135. At the same meeting, the Council had before it a draft decision on this subject, submitted by Brazil (on behalf of the Group of 77) and China (UNEP/GC.17/L.9/Rev.2). Two other proposals covering the same subject-matter as the draft decision (UNEP/GC.17/L.10 and L.17) had been submitted and later withdrawn by their sponsors.

136. In reply to a statement by the representative of the United States seeking clarification on the figures contained in paragraph 14 of the draft, the Deputy Executive Director said that the programme would be implemented at the $120 million level, but, if resources were to become available, the higher figure would be used.

137. The draft decision was adopted by consensus.

138. Speaking in explanation of position after the adoption of the decision, the representative of the United States said that the budgetary figures had been agreed to too rapidly by the Council. The Fund Committee had done a serious job in preparing a figure based on projected resources. The United States did not agree with the figures contained in paragraph 14 of the decision.

Programme and programme support costs of the Environment Fund: revised estimates for the biennium 1992-1993 and proposed budget for the biennium 1994-1995 (decision 17/33)

139. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20/Add.2).

140. The draft decision was adopted by consensus.

On-site interpretation facilities at Gigiri, Nairobi (decision 17/34)

141. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 1), prepared on the basis of a previous draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.6, annex, draft decision 1).

142. The draft decision was adopted by consensus.

Periodicity and duration of sessions of the Governing Council (decision 17/35)

143. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 2), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.6, annex, draft decision 2).

144. The draft decision was adopted by consensus.

Provision of language facilities for the Committee of Permanent Representatives (decision 17/36)

145. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 3), prepared on the basis of an earlier draft on the same subject submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.6, annex, draft decision 3).

146. The draft decision was adopted by consensus.

147. Speaking in explanation of position after the adoption of the decision, the representative of the United States said that his delegation did not agree that the full costs of language services for the Committee of Permanent Representatives should be borne by the United Nations regular budget. There was no other comparable body in a voluntarily funded United Nations organization, and it was reasonable for the servicing costs of the Committee to be borne by the Environment Fund. His delegation could, however, accept the existing arrangements, by which the United Nations regular budget financed 25 per cent of the costs. If, however, the regular budget were to finance the entire costs, there would be considerable financial implications and there could be negative repercussions throughout the United Nations system.

148. The representative of Australia said that his delegation had reservations about the decision in that it did not believe that the need for language services for the Committee had been established. Those concerns were reflected in the report of the Fund Committee (UNEP/GC.17/30).

Reduction of Governing Council documentation (decision 17/37)

149. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 4), prepared on the basis on an earlier draft submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.6, annex, draft decision 4).

150. The draft decision was adopted by consensus.

Improvement of facilities at the United Nations Office at Nairobi (decision 17/38)

151. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 5), prepared on the basis on an earlier draft submitted by the Committee of Permanent Representatives (UNEP/GC.17/L.6/Add.1, annex).

152. The draft decision was adopted by consensus.

Management of trust funds and counterpart contributions (decision 17/39)

153. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20, draft decision 6).

154. The draft decision was adopted by consensus.

The Global Environment Facility (decision 17/40)

155. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20/Add.1 and Corr.1).

156. The draft decision was adopted by consensus.

Financial management and structure of the United Nations Environment Programme, including presentation of financial information and the budget of the United Nations Environment Programme (decision 17/41)

157. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20/Add.3, draft decision 11), prepared on the basis of part of a draft decision annexed to the report of the Committee of Permanent Representatives on proposals for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate (UNEP/GC.17/L.2, annex II, sections IV and V).

158. The draft decision was adopted by consensus.

Report of the Committee of Permanent Representatives on proposals for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate (decision 17/42)

159. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20/Add.3, draft decision 9).

160. The draft decision was adopted by consensus.

161. Speaking in explanation of position after the adoption of the decision, the representative of Pakistan said that his delegation did not agree with the recommendation of the Committee of Permanent Representatives that there should not be an Executive Board (UNEP/GC.17/L.2, paragraph 6 (c)).

Development of the role of the Committee of Permanent Representatives (decision 17/43)

162. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.20/Add.3, draft decision 10), prepared on the basis of a draft decision proposed by the Committee of Permanent Representatives in its report on the proposal for enhancing the effectiveness and efficiency of UNEP in fulfilling its mandate (UNEP/GC.17/L.2, annex I).

163. The draft decision was adopted by consensus.

Tribute to Dr. Mostafa K. Tolba, the former Executive Director of the United Nations Environment Programme (decision 17/44)

164. At the same meeting, the Council had before it a draft decision on this subject, submitted by the Vice-President of the Council, Chairman of the informal negotiating group (UNEP/GC.17/L.26).

165. The draft decision was adopted by consensus.

Notes

1/ The membership of the Governing Council was determined by elections held at the 45th plenary meeting of the forty-fourth session of the General Assembly, held on 6 November 1989, the 66th plenary meeting of the forty-fifth session, held on 12 December 1990, the 35th plenary meeting of the forty-sixth session, held on 22 October 1991, and the 95th plenary meeting of the forty-seventh session, held on 19 January 1993 (decisions 44/309, 45/317, 46/306 and 47/318).

2/ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), Resolution 1, annex II.

3/ For the text of the decisions adopted by the Governing Council at its seventeenth session, see the annex to the present report.

4/ The report of the Executive Director on arrangements for system-wide cooperation and coordination in the field of the environment.

ANNEX

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17/11	Future reports of the Administrative Committee on Coordination to the Governing Council	21 May 1993	41
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17/25	Programme for the Development and Periodic Review of Environmental Law	21 May 1993	59

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17/27	Action for countries with economies in transition	21 May 1993	76
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17/32	The Environment Fund: use of resources in 1992-1993 and proposed use of projected resources in 1994-1995 and 1996-1997	21 May 1993	81
17/33	Programme and programme support costs budget of the Environment Fund: revised estimates for the biennium 1992-1993 and proposed budget for the biennium 1994-1995	21 May 1993	83
17/34	On-site interpretation facilities at Gigiri, Nairobi	21 May 1993	85
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17/1. Cooperation and linkages between the United Nations Environment Programme and other relevant United Nations bodies

The Governing Council,

Noting the reaffirmation of the mandate of the United Nations Environment Programme by the United Nations Conference on Environment and Development and the general direction of the efforts pursued in the Environment Programme, 1/

Noting also the call by the Conference for even greater efforts at coordination of environment and development activities in the United Nations system, 1/

Noting further the establishment of the Commission on Sustainable Development of the Economic and Social Council, 2/

Noting particularly the need for the United Nations Environment Programme to help ensure the success of the Commission on Sustainable Development in monitoring the implementation of Agenda 21 3/ and other decisions of the United Nations Conference on Environment and Development,

1. Requests the Executive Director to take into account the results of the first session of the Commission on Sustainable Development, and to carry out the programmatic activities of the United Nations Environment Programme in full coordination with the outcome of that session;

2. Encourages the Executive Director to continue to take the steps necessary, within available resources, to refocus the Programme's office at United Nations Headquarters, as well as its Regional Office for Europe, and its Nairobi headquarters, so that they will be able to collaborate fully, within their mandates, with the Department for Policy Coordination and Sustainable Development;

3. Further requests the Executive Director, in the context of the follow-up to the United Nations Conference on Environment and Development, to ensure that adequate staff resources are available, through secondment or other appropriate means, to support the Programme's collaboration with the ongoing process of negotiations on restructuring the Global Environment Facility and with the newly restructured Global Environment Facility, the International Bank for Reconstruction and Development and other relevant United Nations organs, bodies and programmes.

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1/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II, chapter 38.

2/ See Economic and Social Council decision 1993/207 of 12 February 1993.

3/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

17/2. Additional proposed follow-up actions to resolutions adopted by the General Assembly related to the United Nations Conference on Environment and Development

The Governing Council,

Having considered the note by the Executive Director on additional proposed follow-up actions to resolutions related to the United Nations Conference on Environment and Development adopted by the General Assembly at its forty-seventh session, 4/

1. Takes note of the note by the Executive Director;

2. Endorses the actions proposed by the Executive Director relating to the Global Conference on Sustainable Development of Small Island Developing States and the international convention to combat desertification. 5/

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17/3. Annual Reports of the Executive Director

The Governing Council,

Recalling paragraph 1 of its decision 16/5 of 31 May 1991, on the rationalization of Governing Council documentation,

Having considered the executive summary of the 1991 Annual Report of the Executive Director 6/ and the executive summary of the 1992 Annual Report of the Executive Director, 7/

Takes note with appreciation of the executive summaries of the 1991 Annual Report of the Executive Director and the 1992 Annual Report of the Executive Director.

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4/ UNEP/GC.17/20.

5/ Ibid., paras. 3-7.

6/ UNEP/GC.17/2.

7/ UNEP/GC.17/22.

17/4. The United Nations Environment Programme and the role of women in environment and development

The Governing Council,

Recalling principle 20 of the 1992 Rio Declaration on Environment and Development, 8/ which holds that women have a vital role in environmental management and development and that their full participation is therefore essential to achieve sustainable development,

Recognizing that the international community has endorsed several plans of action for the full, equal and beneficial integration of women in all environment and development activities, in particular the Nairobi Forward-looking Strategies for the Advancement of Women, 9/ which emphasized women's participation in national and international ecosystem management and control of environment degradation,

Also recognizing that several conventions, including the Convention on the Elimination of All Forms of Discrimination against Women 10/ and conventions of the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, have been adopted to end gender-based discrimination and ensure women access to land and other resources, education, and safe and equal employment,

Emphasizing the objectives and calls for immediate action in chapter 24 of Agenda 21, 3/ entitled "Global action for women towards sustainable and equitable development",

Recalling in particular the request in paragraph 24.10 of Agenda 21 for each body of the United Nations system to review the number of women in senior policy-level and decision-making posts and, where appropriate, adopt programmes to increase that number, in accordance with Economic and Social Council resolution 1991/17 of 31 May 1991 on the improvement of the status of women in the Secretariat,

1. Urges Governments to involve women fully in every aspect and at all levels of decision-making in the national follow-up of Agenda 21;

2. Requests the Executive Director:

(a) To ensure that gender considerations are well integrated into all policies, programmes and activities of the United Nations Environment Programme;

(b) To establish specific targets for an increase in the number of women employed within the existing staff positions in the Programme at all Professional levels, both at headquarters and in the field;

8/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

9/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap I, sect. A.

10/ General Assembly resolution 34/180 of 18 December 1979, annex.

(c) To intensify and expand coordination and cooperation between the Programme and other multilateral organizations in the area of training in gender issues and sustainable development;

3. Also requests the Executive Director to prepare concrete proposals for the integration of women and environment into the process of sustainable development as the contribution of the United Nations Environment Programme to the Fourth World Conference on Women, to be held in Beijing in 1995;

4. Further requests the Executive Director to enhance the cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) in integrating women in comprehensive programmes for sustainable development;

5. Requests the Executive Director to report on the implementation of the present decision to the Council at its eighteenth regular session.

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17/5. Application of environmental norms by military establishments

The Governing Council,

Recalling that Governments should, in accordance with paragraph 20.22 (h) of Agenda 21 of the United Nations Conference on Environment and Development, 3/ ascertain that their military establishments conform to their nationally applicable environmental norms in the treatment and disposal of hazardous wastes,

Noting the role of the military sector in the promotion of national environmental goals and objectives in the transition to sustainable development,

Recognizing the need for early action,

1. Encourages Governments to establish a national environmental policy for the military sector;

2. Invites the Executive Director to collect information on:

(a) National preparations and activities in order to ascertain that their military establishments conform to their national environmental norms in the treatment and disposal of hazardous wastes;

(b) The contribution of the military sector in the achievement of national environmental policies;

(c) Assessments of the damage as well as the need for and feasibility of the clean-up and restoration of areas where damage to the environment has been caused by military activities;

3. Requests the Executive Director to report to the Governing Council at its eighteenth regular session on the issues referred to in paragraph 2 of the present decision.

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17/6. State-of-the-environment reports

The Governing Council,

Recalling paragraph 1 of its decision 16/5 of 31 May 1991, on the rationalization of Governing Council documentation,

Further recalling its decisions 15/13 A of 23 May 1989 and 16/15 C of 31 May 1991, which concerned the annual state-of-the-environment reports for 1992 and 1993,

Recalling also its decision 16/16 of 31 May 1991 on emerging environmental issues,

Having considered the executive summaries of the 1992 state-of-the-environment report, "Poverty and the environment" 11/ and of the comprehensive state-of-the-environment report, 12/

Having considered also the report of the Executive Director on emerging environmental issues, 13/

Taking into consideration the note by the Executive Director on future state-of-the-environment reporting, 14/ which outlines possible ways of improving the documentation provided to the Council in order for it to exercise its role of keeping under review the world environmental situation conferred on it by the General Assembly in resolution 2997 (XXVII) of 15 December 1972,

1. Takes note of the executive summaries of the annual state-of-the-environment reports for 1992 and 1993 and of the Executive Director's comprehensive statement at the Council's 3rd plenary meeting of its seventeenth session, on 17 May 1993; 15/

2. Takes note with appreciation of the report of the Executive Director on emerging environmental issues;

3. Encourages the Executive Director to continue to examine ways of improving the documentation to be provided to the Council for it to fully exercise its function of ensuring that emerging environmental problems of wide

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11/ UNEP/GC.17/15.

12/ UNEP/GC.17/9.

13/ UNEP/GC.17/18.

14/ UNEP/GC.17/Inf.11.

15/ UNEP/GC.17/28/Add.2.

international significance and relating to sustainable development receive appropriate and adequate consideration by Governments.

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17/7. The environmental effects of the conflict between Iraq and Kuwait

The Governing Council,

Recalling General Assembly resolution 47/151 of 18 December 1992 and taking into consideration Governing Council decisions SS.II/8 of 3 August 1990, SS.III/3, section II, of 5 February 1992 and 16/11 A and 16/17 of 31 May 1991,

Noting that the updated report on the environmental effects of the conflict between Iraq and Kuwait 16/ is not satisfactory and does not fully reflect the real devastation and damages to the environment in the region,

Recognizing that proper assessment of the long-term impacts of the burnt oil wells and the massive oil spill on different environmental aspects as well as the public health of the region covered by the Regional Organization for the Protection of the Marine Environment will require further detailed investigations,

Requests the Executive Director to continue with the Programme's leading role in coordinating the efforts of the United Nations as well as other international organizations to fully assess the environmental situation, to support programmes of the Regional Organization for the Protection of the Marine Environment on this issue and to mobilize funds needed for different assessment and rehabilitation programmes.

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17/8. Memoranda of understanding concerning cooperation between the United Nations Environment Programme and other organizations of the United Nations system

The Governing Council,

Recalling section III of its decision 82 (V) of 25 May 1977 on programme policy and implementation and, in particular, paragraph 5 thereof, in which it requested the Executive Director to submit agreed memoranda of understanding on joint programming between the Programme and other agencies of the United Nations system to the Governing Council for information and comment,

Conscious of the need to reduce documentation submitted by the Executive Director to the Governing Council,

Noting the detailed information contained in the information document on memoranda of understanding submitted to the Council by the Executive Director, 17/

16/ UNEP/GC.17/Inf.9.

17/ UNEP/GC.17/Inf.2.

1. Requests the Executive Director to discontinue the practice of submitting to the Council detailed information on memoranda of understanding between the United Nations Environment Programme and other organizations of the United Nations system but to submit a summary list of all such memoranda to future regular sessions of the Council;

2. Further requests the Executive Director to forward the full text of all such memoranda of understanding immediately after their conclusion to Governments and to the Committee of Permanent Representatives for information and record purposes.

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17/9. The 1991 and 1992 reports of the Administrative Committee on Coordination

The Governing Council,

Recalling General Assembly resolution 32/197 of 20 December 1977 on the restructuring of the economic and social sectors of the United Nations system,

Also recalling its decisions 14/2 and 14/4 of 18 June 1987 in which it requested the Administrative Committee on Coordination to continue to report to the Council on an annual basis,

Noting the emphasis put on the role of cooperation and coordination within the United Nations system on sustainable development, which was underlined by the United Nations Conference on Environment and Development,

Having considered the 1991 and 1992 reports of the Administrative Committee on Coordination to the Governing Council regarding United Nations system-wide coordination in the field of the environment, 18/

1. Expresses its appreciation to the Administrative Committee on Coordination for its 1991 and 1992 reports;

2. Welcomes the new machinery developed by the Administrative Committee on Coordination for the system-wide follow-up to the United Nations Conference on Environment and Development, in particular the creation of the Inter-Agency Committee on Sustainable Development;

3. Takes note of the outline proposed by the Executive Director for new arrangements for coordination in the field of the environment; 19/

4. Endorses the course of action outlined in order to enable the Executive Director to discharge effectively the coordinating role required of the United Nations Environment Programme by various legislative authorities.

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18/ UNEP/GC.17/11 and UNEP/GC.17/12.

19/ UNEP/GC.17/12/Add.1, para. 6.

17/10. Cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat)

The Governing Council,

Recalling its decision 14/3 of 18 June 1987, in which it requested the Executive Director to continue and increase cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat), *inter alia*, in the four areas identified by the seventh joint meeting of the Executive Director of the Programme and the Bureau of its Governing Council with the Executive Director of the Centre and the Bureau of the Commission on Human Settlements, 20/

Recalling also its decision 16/21 of 31 May 1991 on cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat),

Recalling further General Assembly resolution 40/199 of 17 December 1985 on cooperation between the United Nations Centre for Human Settlements (Habitat) and the United Nations Environment Programme,

Having considered the joint progress report of the Executive Directors of the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) 21/ and the proposals of the Executive Director for improved cooperation between the two organizations as outlined in her statement to the Council at the 3rd plenary meeting of its seventeenth session on 17 May 1993, 22/

Noting the need for further cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) in implementing the relevant parts of Agenda 21, 3/

1. Welcomes the continued cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) in the four established areas and within the system-wide effort of the United Nations;

2. Requests the Executive Director to continue her efforts to increase cooperation between the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) in, *inter alia*, the areas referred to in her statement to the Council, and in the implementation of the relevant parts of Agenda 21, and to report on the results of such cooperation to the Governing Council at its eighteenth regular session.

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20/ See UNEP/GC.13/6, para. 18.

21/ UNEP/GC.17/4.

22/ See the proceedings of the Governing Council at its seventeenth session (UNEP/GC.17/32), chap. V.

17/11. Future reports of the Administrative Committee on Coordination to the Governing Council

The Governing Council,

Recalling its decisions 14/2 and 14/4 of 18 June 1987, in which it requested the Administrative Committee on Coordination to continue to report to the Council on an annual basis,

Having taken note of the invitation from the Committee for the Council to re-examine its decisions 14/2 and 14/4 and to reassess the focus of future reporting, 23/

Bearing in mind the reaffirmation by the United Nations Conference on Environment and Development of the role of the United Nations Environment Programme as the principal body within the United Nations in the field of the environment 24/ and its statement that the Governing Council should continue to play its role with regard to policy guidance and coordination in the field of the environment, taking into account the development perspective, 25/

Also bearing in mind the valuable cooperation that it has received from the Committee since the Committee was assigned the functions of the Environmental Coordination Board by General Assembly resolution 32/197 of 20 December 1977,

Having considered the note by the Executive Director on policy advice of the Governing Council to the Administrative Committee on Coordination on future reports of the Committee, 26/

1. Emphasizes that the Administrative Committee on Coordination, as the central coordinating body for sustainable development and environment in the United Nations system, can play a significant role in assisting the Governing Council to address system-wide cooperation and coordination for the environment, taking into account the development perspective;

2. Requests the Administrative Committee on Coordination in future to report only in those years when the Governing Council meets in regular session;

3. Also requests the Administrative Committee on Coordination to focus future reports to the Governing Council on policy matters, taking into account policy issues being addressed in other intergovernmental forums of relevance to the Council, and to address those policy issues that the United Nations Conference on Environment and Development identified for the United Nations Environment Programme, in particular those regarding system-wide coordination and emerging and important environmental issues of system-wide interest;

23/ UNEP/GC.17/12, para. 4.

24/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II, para. 38.23.

25/ Ibid., para. 38.21.

26/ UNEP/GC.17/12/Add.2.

4. Requests the Administrative Committee on Coordination to assist in harmonizing the Governing Council's decision-making process with that of other intergovernmental forums, *inter alia*, through the regular reports of the Committee to the Council.

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17/12. International conventions and protocols in the field of the environment

The Governing Council,

Recalling its decision 24 (III) of 30 April 1975 and General Assembly resolution 3436 (XXX) of 9 December 1975,

Noting with appreciation the services of the Governments and intergovernmental organizations that are depositaries of various international conventions and protocols in the field of the environment,

1. Takes note of the report of the Executive Director on international conventions and protocols in the field of the environment; 27/

2. Authorizes the Executive Director to transmit the report on its behalf together with the comments of the Governing Council thereon to the General Assembly at its forty-eighth session, in accordance with General Assembly resolution 3436 (XXX);

3. Calls on Governments that have not yet done so to sign, ratify or accede to those international conventions in the field of the environment to which they are eligible to become parties.

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17/13. Carriage of irradiated nuclear fuel by sea

The Governing Council,

Concerned about the potential hazards of the carriage of irradiated nuclear fuel by sea,

Welcoming the Executive Director's initiative to involve the United Nations Environment Programme with the International Atomic Energy Agency and the International Maritime Organization in the preparation of future policies on the matter, 28/

Aware of the participation of the United Nations Environment Programme, at the secretariat level, in the two meetings of the Joint International Atomic Energy Agency/International Maritime Organization Working Group on the carriage of irradiated nuclear fuel by sea held in London from 8 to 11 December 1992 and in Vienna from 26 to 30 April 1993,

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27/ UNEP/GC.17/10 and Corr.1 and 2.

28/ See UNEP/GC.17/5 and Corr.1, part II, sect. C.

1. Takes note that the Joint Working Group completed its work on the draft Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium, and High-Level Radioactive Wastes in Flasks on Board Ships; 29/

2. Requests the Executive Director to report on future developments resulting from the work of the Joint Working Group to the Governing Council at its next session.

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17/14. Control of transboundary movements of hazardous wastes and their disposal

The Governing Council,

Recalling its decision 16/30 A of 31 May 1991 by which it, inter alia, urged Governments that had not yet acceded to or ratified the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, to do so, as soon as possible,

Having considered the report of the Executive Director on the Basel Convention, 30/

1. Takes note of the report of the Executive Director on the Basel Convention;

2. Urges all Governments that have not yet ratified or acceded to the Basel Convention to do so as soon as possible;

3. Appeals to Governments, parties and non-parties to the Basel Convention, that have still not paid their contributions for 1993 to the Trust Fund for the Basel Convention and the Technical Cooperation Trust Fund to do so as a matter of highest priority so as to enable the Convention secretariat to implement the decisions adopted at the first meeting of the Conference of the Parties, as well as the relevant parts of Agenda 21; 3/

4. Requests the Executive Director to examine the implementation of the Basel Convention to date and, in particular, the issues, if any, that have resulted in the slow ratification of the Convention.

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29/ Report from the second session of the Joint IAEA/IMO/UNEP Working Group on the Carriage of Irradiated Nuclear Fuel by Sea (IAEA/WP.34/Rev.1), annex 8.

30/ See UNEP/GC.17/5 and Corr.1, in particular paras. 10-12.

17/15. Proposals for an update of the list of selected environmentally harmful chemical substances, processes and phenomena of global significance

The Governing Council,

Recalling its decision 16/31 of 31 May 1991 and, in particular, paragraph 2 (d) thereof,

Having considered the report of the Executive Director on proposals for an update of the list of selected environmentally harmful chemical substances, processes and phenomena of global significance, 31/

1. Takes note of the report of the Executive Director, in particular the recommendations made on proposals to update the list;

2. Requests the Executive Director to follow up on these recommendations by:

(a) Replacing the list by an assessment, every four years, of chemical issues that are critical at the global level;

(b) Initiating work on preparation of the different documents as indicated;

(c) Incorporating a summary of major issues related to chemicals emanating from the above assessment work into the newly proposed Executive Director's statement on the environment, as appropriate.

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17/16. Implementation and mid-term review of the United Nations system-wide medium-term environment programme for 1990-1995

The Governing Council,

Recalling its decisions SS.I/3 of 18 March 1988 and 15/21 of 25 May 1989, on the United Nations system-wide medium-term environment programme for the period 1990-1995,

Having considered the report of the Executive Director on implementation and mid-term review of the United Nations system-wide medium-term environment programme for 1990-1995, 32/

1. Takes note of the report of the Executive Director;

2. Endorses the Executive Director's recommendation to assess the future arrangements for meeting the need for a strategy and planning document, in view of the new United Nations system-wide coordination arrangements being established;

31/ UNEP/GC.17/24.

32/ UNEP/GC.17/6.

3. Requests the Executive Director to report to the Council at its regular session in 1995 on the need for a United Nations system-wide strategy and planning document in the field of the environment.

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17/17. Transfer of environmentally sound technology

The Governing Council,

Recalling its decision 16/33 of 31 May 1991 on transfer of environmentally sound industrial production technology,

Having considered the report of the Executive Director on transfer of environmentally sound technology, 33/

1. Takes note of the report of the Executive Director;

2. Notes the progress made by the cleaner production programme in promoting the transfer of environmentally sound technologies;

3. Notes, however, that environmentally damaging technologies continue to be exported, in particular to developing countries;

4. Requests the Executive Director to examine the feasibility of developing international guidelines on what information on potential environmental impacts the exporters of technology should provide to importers;

5. Requests the Executive Director to include a report on the results of the examination of the issue referred to in paragraph 4 of the present decision in her report on the cleaner production programme to the Governing Council at its eighteenth regular session.

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17/18. Environmentally sound management of hazardous wastes

The Governing Council,

Recalling paragraph 1 of its decision 16/30 A of 31 May 1991, in which it requested the Executive Director to prepare, through the Interim Secretariat for the Basel Convention on Transboundary Movements of Hazardous Wastes and Their Disposal and in cooperation with other international and intergovernmental organizations, draft elements of an international strategy and an action programme, including technical guidelines for the environmentally sound management of hazardous wastes, and to convene an ad hoc meeting of Government-designated experts to consider draft elements and a possible international strategy and an action programme,

Also recalling resolution 8 of 22 March 1989 adopted by the Basel Conference of Plenipotentiaries on the Global Convention on the Control of Transboundary Movements of Hazardous Wastes, by which the Conference called upon

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33/ UNEP/GC.17/5/Add.3, part II.

the Executive Director of the United Nations Environment Programme to establish a technical working group to prepare draft technical guidelines for the environmentally sound management of hazardous wastes,

Taking note of the fact that the elements of an international strategy for the environmentally sound management of hazardous wastes contained in the report of the ad hoc meeting of Government-designated experts 34/ are being made available to Governments to serve as guidance for the elaboration of national strategies for the environmentally sound management of hazardous wastes,

Having considered the report of the Executive Director on environmentally sound management of hazardous wastes, 35/

1. Takes note of the report of the Executive Director on environmentally sound management of hazardous wastes;

2. Invites Governments to use the elements of the international strategy prepared by the ad hoc meeting of Government-designated experts while preparing, consolidating or revising national strategies for environmentally sound management of hazardous wastes;

3. Invites also relevant international and intergovernmental organizations to use, as appropriate, the elements of the international strategy in their programmes and activities concerning or related to environmentally sound management of hazardous wastes;

4. Urges developed and other countries in a position to do so to assist developing and other countries or countries in transition to a market economy that express a need for assistance in technology transfer to minimize the generation of hazardous wastes;

5. Requests the Executive Director to continue to promote the use of the elements of the international strategy through the Secretariat of the Basel Convention.

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17/19. Desertification

A. Implementation of the Plan of Action to Combat Desertification in 1991-1992

The Governing Council,

Recalling General Assembly resolutions 32/169 and 32/172 of 19 December 1977, 33/89 of 15 December 1978, 34/184 of 18 December 1979, 35/73 of 5 December 1980, 36/190 of 17 December 1981, 37/147 of 17 December 1982, 37/218 of 20 December 1982, 38/160 of 9 December 1983, 39/168 A of 17 December 1984, 40/198 A of 17 December 1985, S-13/2 of 1 June 1986, 42/189 A of 11 December 1987, 44/172 of 19 December 1989, 45/212 of 21 December 1990, 46/161 of 19 December 1991, and 47/190 and 47/191 of 22 December 1992,

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34/ UNEP/CHW/WG.2/1/3.

35/ UNEP/GC.17/5 and Corr.1, paras. 13-16.

Recalling in particular General Assembly resolution 47/188 of 22 December 1992 by which the General Assembly decided to establish an Intergovernmental Negotiating Committee for the elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa, and without prejudging the potential impact of the results of the Intergovernmental Negotiating Committee on the United Nations Environment Programme's programme in the field of combating desertification,

Recalling also its decisions 9/22 A and B of 26 May 1981, section VII of its decision 10/14 of 31 May 1982, section VII of its decision 11/7 of 24 May 1983, and its decisions 12/10 of 28 May 1984, 14/15 A of 18 June 1987, 15/23 A of 25 May 1989, 16/22 A of 31 May 1991 and its decision SS.III/1 of 5 February 1992,

Considering the report of the Executive Director on the implementation in 1991-1992 of the Plan of Action to Combat Desertification, [36]

Also considering those parts of the 1991 [37] and 1992 [38] reports of the Administrative Committee on Coordination dealing with the coordination and follow-up of the implementation of the Plan of Action to Combat Desertification,

Aware of chapter 12 ("Managing fragile ecosystems: combating desertification and drought"), and 38 ("International institutional arrangements") of Agenda 21, [3] as endorsed by the General Assembly, [39]

Reaffirming its conviction that the Plan of Action to Combat Desertification is one appropriate instrument to assist Governments in developing national programmes for arresting the process of desertification, and that it has contributed essential elements to chapter 12 of Agenda 21,

1. _Takes note_ of the report of the Executive Director on the implementation of the Plan of Action to Combat Desertification in 1991 and 1992, and of the compatibility of the action taken with the recommendations of chapter 12 of Agenda 21;

2. _Authorizes_ the Executive Director to submit the report, on behalf of the Governing Council, through the Economic and Social Council, to the General Assembly at its forty-eighth session;

3. _Encourages_ the ongoing efforts by the United Nations Environment Programme to define appropriate methodologies for monitoring and assessment of desertification, to carry out mapping of thematic indicators of desertification and to assign benchmarks and progress indicators for desertification control, along with other indicators of global changes within the system-wide Earthwatch programme;

4. _Requests_ the Programme to provide the information gathered as a result of the efforts referred to in paragraph 3 of the present decision to the Governments of the countries from which it has been collected;

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[36] UNEP/GC.17/14.

[37] UNEP/GC.17/11.

[38] UNEP/GC.17/12.

[39] General Assembly resolution 47/190 of 22 December 1992, para. 2.

5. Encourages the United Nations Environment Programme to continue to compile, disseminate and catalyse the further development of successful desertification control project designs and implementation methodologies, including model land-use and socio-economic development programmes for marginal drylands and use of food aid in drought relief and refugee rehabilitation programmes;

6. Requests the Executive Director to continue to promote international cooperation and to intensify and expand, within the existing resources, the United Nations Environment Programme's regional/subregional joint ventures for implementation of a coordinated Plan of Action to Combat Desertification, as recommended in chapter 12 of Agenda 21, especially in regional/national capacity-building, training, research, methodology and technology development and dissemination, as well as in formulation and implementation of national plans of action to combat desertification;

7. Calls upon all the other United Nations agencies and organizations concerned to reinforce their involvement in the implementation of the Plan of Action to Combat Desertification;

8. Requests the Executive Director to continue to cooperate fully, within existing resources, in the preparations for the desertification convention by the Intergovernmental Negotiating Committee, *inter alia*, by making available the scientific and technical resources of the secretariat.

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B. Financing and other measures in support of the Plan of Action to Combat Desertification

The Governing Council,

Recalling General Assembly resolutions 34/184 of 18 December 1979, 36/191 of 17 December 1981, 37/220 of 20 December 1982, 42/189 C of 11 December 1987, 44/172 A of 19 December 1989 and 46/161 of 19 December 1991,

Recalling also its decisions 13/30 A of 23 May 1985, 14/15 D of 18 June 1987, 15/23 B of 25 May 1989 and 16/22 B of 31 May 1991,

Noting the discontinuation of the global financing mechanisms of the Plan of Action to Combat Desertification, namely, the Special Account and the Consultative Group on Desertification,

1. Takes note of the decision by the participants in the Global Environment Facility, in the ongoing process of restructuring the Facility, that activities on land degradation, in so far as they relate to the programme areas of the Facility, are eligible for funding from it;

2. Requests the Executive Director to intensify the United Nations Environment Programme interaction with the United Nations Development Programme and the World Bank on this issue;

3. Invites other international financial institutions and Governments to actively support practical measures aimed at implementing the Plan of Action to Combat Desertification and the provisions in chapter 12 of Agenda 21; 3/

4. Invites also the regional financial institutions to actively support practical measures aimed at implementing the Plan of Action to Combat Desertification and the provisions in chapter 12 of Agenda 21.

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C. Implementation in the Sudano-Sahelian region of the Plan of Action to Combat Desertification

The Governing Council,

Recalling General Assembly resolutions 32/170 of 19 December 1977, 33/88 of 15 December 1978, 34/187 of 18 December 1979, 35/72 of 5 December 1980, 36/190 of 17 December 1981, 37/216 of 20 December 1982, 38/164 of 19 December 1983, 39/168 B and 39/206 of 17 December 1984, 40/198 B of 17 December 1985, S-13/2 of 1 June 1986, 42/189 B of 11 December 1987, 44/172 B of 19 December 1989 and 46/161 of 19 December 1991,

Recalling also its decisions 13/30 B of 23 May 1985, 14/15 B of 18 June 1987, 15/23 B of 25 May 1989 and 16/22 C of 31 May 1991,

Having considered the report of the Executive Director on the implementation of the Plan of Action to Combat Desertification in 1991-1992 and, in particular, the section on the implementation of this Plan in the Sudano-Sahelian region, [40]

1. Takes note of the steps the United Nations Sudano-Sahelian Office has taken, on behalf of the United Nations Environment Programme, to implement the Plan of Action to Combat Desertification in the twenty-two countries of the Sudano-Sahelian region;

2. Authorizes the Executive Director to continue supporting the United Nations Sudano-Sahelian Office as a joint venture with the United Nations Development Programme, at least until the conclusions of the Intergovernmental Negotiating Committee for the development of a desertification convention become clear;

3. Also authorizes the Executive Director to request the United Nations Sudano-Sahelian Office to continue its activities at the national and local level to assist Governments in the region in developing and implementing national plans of action to combat desertification and to coordinate with other agencies involved in development and implementation of national strategies for sustainable development;

4. Requests the Executive Director, in consultation with the Administrator of the United Nations Development Programme, to amend the terms of reference (the Memorandum of Understanding) of the joint undertaking of the United Nations Environment Programme and the United Nations Development Programme to allow the United Nations Sudano-Sahelian Office to intensify its involvement in the desertification control efforts in the countries in the region with its subregional interface organizations;

5. Also requests the Executive Director, in consultation with the Administrator of the United Nations Development Programme, in response to

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[40] UNEP/GC.17/14, sect. 5.

chapter 38 of Agenda 21 3/ and subject to the outcome of the Intergovernmental Negotiating Committee for the development of a desertification convention, to consider strengthening their efforts to establish joint support mechanisms for the implementation of chapter 12 of Agenda 21 in other regions/subregions affected by desertification, capitalizing on the United Nations Development Programme/United Nations Environment Programme/World Bank tripartite experience of the Global Environment Facility and fully coordinating their efforts with the United Nations regional commissions and other intergovernmental bodies on development and financing in the regions concerned;

6. Invites the United Nations Sudano-Sahelian Office to intensify its efforts to mobilize resources for continued assistance to its mandated countries combating desertification.

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17/20. Protection of the marine environment from land-based activities

The Governing Council,

Recognizing that land-based activities and land-based sources of marine pollution, in particular sewage, are a major cause of the degradation of the marine environment, as well as an important element of the integrated management and sustainable development of coastal and marine areas,

Fully recognizing the importance of the global conference on integrated coastal zone management and development and the Global Conference on the Sustainable Development of Small Island Developing States with regard to the protection of the oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas,

Having noted the invitation by the United Nations Conference on Environment and Development in paragraph 17.26 of Agenda 21 3/ for the United Nations Environment Programme to convene, as soon as practicable, an intergovernmental meeting on protection of the marine environment from land-based activities,

Having considered the Executive Director's report on protection of the marine environment from land-based activities, 41/

1. Takes note of the Executive Director's report;

2. Authorizes the Executive Director to implement the recommendations of the United Nations Conference on Environment and Development, taking into account General Assembly resolution 47/190 of 22 December 1992. Consistent with the recommendations outlined in chapter 17 of Agenda 21, the Governing Council believes that this item is one of the important areas of follow-up to the Conference and that the Executive Director should coordinate a process preparing for the intergovernmental meeting on protection of the marine environment from land-based activities to be held in 1995. The preparatory process should take into account the experiences of regional and subregional agreements and:

(a) Identify approaches for addressing land-based activities that can be tailored to particular economic and/or geographic circumstances;

41/ UNEP/GC.17/5/Add.3, paras. 1-7.

(b) Identify areas requiring, as well as opportunities for, international cooperation on the bilateral, regional, and global level;

(c) Identify criteria for development assistance and technical assistance projects, including sewage-related projects, for the purpose of mobilizing resources from individual countries, multilateral organizations or international financial institutions to address the protection of the marine environment from land-based activities;

3. Decides that, to adequately prepare for the final intergovernmental meeting in 1995, the Executive Director shall organize a structured and sequenced preparatory process to include:

(a) A preliminary meeting of experts to assess the effectiveness of selected regional agreements to be held in Geneva or Nairobi in late 1993;

(b) A one-week meeting of Government-designated experts focusing on the 1985 Montreal Guidelines for the Protection of the Marine Environment against Land-based Sources of Pollution 42/ to be hosted by the Government of Canada in June 1994, to discuss possible amendments to the 1985 Montreal Guidelines as well as outline what additional areas of international cooperation are appropriate for further discussion;

(c) A final preparatory meeting of Government-designated experts in March 1995 at a location to be determined to review and revise the draft of a programme of action prepared during the inter-sessional period;

(d) A two-week intergovernmental conference for the purpose of adopting a programme of action to be hosted by the Government of the United States of America in late 1995. This conference will be held in Washington, D.C., conducted in all six official United Nations languages, and will seek agreement on a programme of action, and identify the means of implementation, as appropriate.

The meetings of Government-designated experts scheduled for 1994 and 1995 will be conducted in English, French and Spanish. The participation of interested international organizations and non-governmental organizations at the intergovernmental conference and preparatory meetings is strongly encouraged;

4. Requests the Executive Director to cooperate closely with the Food and Agriculture Organization of the United Nations, Habitat, the International Maritime Organization, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, and other relevant international organizations in the preparations for the intergovernmental meetings outlined above;

5. Encourages regional conventions and programmes for the protection of the marine environment, including the regional seas programmes of the United Nations, to contribute recommendations to a proposed programme of action prior to the final preparatory meeting in March 1995;

6. Authorizes the Executive Director to programme funds as outlined in the annex to this decision. Expenditures for actions planned in 1993 will be financed through available programme resources for 1992-1993 and expenditures for actions during 1994-1995 are provided within the core 1 programme of Fund

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42/ See Environmental Law Guidelines and Principles, No. 7 (United Nations Environment Programme, Nairobi, 1985).

activities. [43] Additional resources, where necessary, will be provided from the Fund programme reserve and other financing offered by the Governments of Canada and the United States to cover the cost of meeting services; [44]

7. Urges Governments to contribute additional resources to support the participation of developing countries in the planned intergovernmental conference in 1995 as well as the two meetings of experts scheduled for late 1994 and early 1995. In addition, Governments are urged to offer facilities to host the second meeting of experts planned for March 1995.

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[43] See UNEP/GC.17/7, activity 7.1.4 (a).

[44] $522,900 shall be earmarked from the Fund programme reserve to cover 1994-1995 expenditures detailed in the workplan outlined in the annex to this decision.

Annex

WORKPLAN, TIMETABLE AND BUDGET

	Activity	Date	Cost estimate (United States dollars)
1.	Preliminary meeting of experts to assess effectiveness of regional agreements (Geneva or Nairobi)	October	340 000 a/
2.	Three regional surveys on land-based sources of pollution	April 1993-June 1994	301 600 a/
3.	Meeting of experts on control of marine pollution from land-based sources focusing on possible amendments to the 1985 Montreal Guidelines (5-day meeting in Montreal - English, French and Spanish) including servicing of the meeting	June 1994	
	Cost of conference servicing		100 000
	Cost of support to participants from developing countries (30)		199 400
4.	Drafting of programme of action	June-Nov. 1994	UNEP and interested Governments to fund the undertaking
5.	Meeting of experts on protection of the marine environment from land-based activities (5-day meeting in Geneva or another location - English, French and Spanish), including servicing of the meeting	March 1995	150 000
	Cost of support to participants from developing countries (30)		230 000
6.	Regional seas contributions	Sept.-Oct. 1994	143 500
7.	Intergovernmental meeting on protection of the marine environment from land-based activities (10-day meeting in Washington, D.C.) including servicing of the meeting in six languages and travel of participants from developing countries (80)	Nov. 1995	
	Cost of conference servicing		300 000 b/
	Cost of support to participants from developing countries		600 000
	Grand total (including 1993 dollars)		2 364 500
	Total 1994-1995 dollars		1 722 900

a/ 1993 programme funds (already committed).

b/ Additional costs of holding the meeting in the United States of America for 10 days will be covered by the United States.

17/21. International environmental technology centres

The Governing Council,

Recalling its decision 16/34 of 31 May 1991, in which it, inter alia, requested the Executive Director to explore the possibility of establishing international environmental technology centres, in equal numbers in developed and developing countries,

Recalling also its decision 16/33 of 31 May 1991, in which it, inter alia, called upon the Executive Director to promote the identification of ways and means to facilitate access by and transfer of technology to developing countries in respect of cleaner production methods, techniques and technologies,

Further recalling the Agenda 21 programme of action as adopted by the United Nations Conference on Environment and Development, 3/ particularly its chapter 34,

Having considered the report of the Executive Director on the question of establishing international environmental technology centres in countries other than Japan, 45/

1. Takes note of the report of the Executive Director;

2. Takes note also of the proposal submitted by Tunisia; 46/

3. Requests the Executive Director to strengthen the existing links between the United Nations Environment Programme and relevant centres of excellence;

4. Also requests the Executive Director to accord high priority and keep under review the establishment of technology centres and to report to the Council, at its eighteenth regular session, on new developments in this respect, taking into account the views expressed and proposals made during its seventeenth session.

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17/22. Environmental indicators

The Governing Council,

Recalling the understanding reached with the Executive Director at the third special session of the Council in February 1992 that he would explore possible action by the United Nations Environment Programme in the area of environmental indicators and report back thereon to the Council at its seventeenth session, 47/

45/ UNEP/GC.17/5, paras. 1-9.

46/ UNEP/GC.17/PC/L.3.

47/ See UNEP/GCSS.III/6 and Corr.1, para. 120.

Having considered the report of the Executive Director on environmental indicators, 48/

1. Takes note of the report of the Executive Director;

2. Recognizes that the subject of environmental indicators is a cross-cutting issue;

3. Requests the United Nations Environment Programme to continue its work in this field in cooperation with the United Nations Statistical Office and the relevant specialized agencies, bearing in mind the role of the Commission on Sustainable Development;

4. Requests the Executive Director to submit to the Council at its eighteenth regular session a progress report, including a plan of action, on the development and use of environmental indicators.

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17/23. Urgent measures for the conservation of the African elephant and African and Asian populations of the rhinoceros

The Governing Council,

Having considered the report of the Executive Director on urgent measures for the conservation of the African elephant and African and Asian populations of the rhinoceros, 49/

I. Conservation of the African elephant

1. Notes with satisfaction the work accomplished by the United Nations Environment Programme in convening and organizing its conference between the African Elephant Range States and Donors on Financing of the Conservation of the African Elephant and in assisting African Governments in the development of effective conservation policies/programmes, conservation strategies and country elephant conservation action plans to improve the conservation of the African elephant and its ecosystems, as well as in acting as a broker between donors and range States to provide funds to finance improved conservation of the African elephant as a key species in African ecosystems in the context of overall land-use patterns;

2. Calls upon African elephant range States to implement their country elephant conservation action plans across the species' range and urges donors in a position to do so to assist in this urgent conservation task, including through support to the coordination facility referred to in paragraph 4 (b) of the present section;

3. Calls upon Governments, the United Nations and its specialized agencies, and non-governmental organizations to support the implementation of the country elephant conservation action plans and the establishment of a

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48/ UNEP/GC.17/5/Add.2, part II.

49/ UNEP/GC.17/5/Add.4, part II.

coordinating body for African elephant conservation through financial contributions and technical assistance;

4. Requests the Executive Director:

(a) To strengthen the coordination of elephant conservation in Africa by assisting collaborative approaches to elephant conservation;

(b) To establish an African elephant conservation facility within the United Nations Environment Programme, allocate the necessary funds for the initial operation of the facility and seek additional voluntary contributions from those in a position to make them to facilitate the long-term viability of the facility;

II. Conservation of African and Asian populations of the rhinoceros

1. Notes with satisfaction the work accomplished by the United Nations Environment Programme in preparing for its conference between the rhinoceros range States, consumer States and donors on financing the conservation of the rhinoceros, scheduled to take place at the headquarters of the United Nations Environment Programme in Nairobi in June 1993, and in catalysing African and Asian Governments to develop priority projects and/or country rhinoceros conservation action plans to improve the conservation of the African and Asian rhinoceroses and their ecosystems, as well as in acting as a broker between donors and range States to secure funds to finance improved conservation of the African and Asian rhinoceros as key species in African and Asian ecosystems in the context of overall land-use patterns;

2. Expresses its support for the upcoming conference and requests Governments in a position to do so to extend financial support for its successful outcome, and for follow-up actions;

3. Calls upon African and Asian rhinoceros range States to implement their country rhinoceros conservation action plans across the species' range;

4. Calls upon Governments, the United Nations and its specialized agencies, and the non-governmental organizations to support the preparation and implementation of the priority projects and/or country rhinoceros conservation action plans, the convening of the conference and the establishment of a coordinating body for rhinoceros conservation through financial contributions and technical assistance;

5. Requests the Executive Director:

(a) To strengthen the coordination of rhinoceros conservation in Africa and Asia by assisting collaborative approaches to rhinoceros conservation by range States;

(b) To establish an African and Asian rhinoceros conservation facility, if requested by the forthcoming conference of range States and donors, and, if the facility is established, to allocate the necessary funds for its initial operation and seek additional voluntary contributions from those in a position to make them to facilitate its long-term viability.

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17/24. Climate

A. Report of the Chairman of the Intergovernmental Panel on Climate Change

The Governing Council,

Recalling its decision 16/41 of 31 May 1991 and, in particular, section III, paragraph 9, thereof, by which it requested the Intergovernmental Panel on Climate Change, through its Chairman, to report on the progress of its activities to the Council at its seventeenth session,

Having considered the report of the Chairman of the Intergovernmental Panel on Climate Change, 50/

1. Notes with appreciation the report of the Chairman of the Intergovernmental Panel on Climate Change;

2. Urges Governments to increase their support for the Panel and endorse its revised structure and future workplans.

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B. Progress and future activities of the World Climate Impact Assessment and Response Strategies Programme

The Governing Council,

Recalling its decision 16/41 of 31 May 1991 and, in particular, section IV, paragraph 2 (f) thereof, by which it requested the Executive Director to report to the Council at its seventeenth regular session on progress and future activities of the World Climate Impact Assessment and Response Strategies Programme,

Having considered the report on progress and future activities of the World Climate Impact Assessment and Response Strategies Programme, 51/

1. Notes the recommendations of the Scientific Advisory Committee for the World Climate Impact Assessment and Response Strategies Programme;

2. Requests the Executive Director, within the constraints of available resources, to further develop the World Climate Impact Assessment and Response Strategies Programme and, in particular:

(a) To respond to the needs of the Intergovernmental Panel on Climate Change and the Intergovernmental Negotiating Committee for information on climate impact and response strategy studies;

(b) To give increased attention to preparedness measures in connection with climate change and sealevel rise and responding to drought and other adverse climate events;

50/ UNEP/GC.17/5/Add.1, part II.

51/ Ibid., part I.

(c) To assist developing countries to develop and operate national climate impact assessment and response strategies programmes as part of national climate programmes and encourage their participation in the World Climate Programme through the initiation of country studies, including inventories of the sources and sinks of greenhouse gases; identification of the technology required; climate impact and response option assessments; and greenhouse abatement costing studies;

(d) To assist developing countries to build, within national climate programmes, provision for education, training and public information, with the aim of promoting endogenous capacity-building;

(e) To provide a focus for country study information collection and exchange, in association with the report on country studies of the Intergovernmental Panel on Climate Change.

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C. Intergovernmental Meeting on the World Climate Programme

The Governing Council,

Recalling its decision 16/41 of 31 May 1991 and, in particular, section IV thereof, on the World Climate Programme,

Having considered the report of the Executive Director on the Intergovernmental Meeting on the World Climate Programme, 52/

1. Notes the recommendations of the Intergovernmental Meeting concerning coordination and resources for the Programme;

2. Urges Governments to ensure the early implementation of the recommendations of the Meeting, particularly in the provision of sufficient resources for the effective implementation of the expanded World Climate Programme;

3. Requests the Executive Director to take the action outlined in her report, in cooperation with the executive boards/councils of the international organizations concerned with the World Climate Programme and its associated activities, to ensure the preparation of an integrated proposal concerning coordination and resource needs for the World Climate Programme, to be presented to Governments, comprising those parts of their respective programmes that are relevant to climate, along the lines of the four new thrusts identified. 53/

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52/ UNEP/GC.17/5/Add.5.

53/ Ibid., para. 2.

17/25. Programme for the Development and Periodic Review of Environmental Law

The Governing Council,

Recalling its decision 10/21 of 31 May 1982, in which the Council adopted the Montevideo Programme for the Development and Periodic Review of Environmental Law, which provided the basis for the activities of the United Nations Environment Programme in the field of environmental law for the last decade,

Also recalling its decision 16/25 of 31 May 1991, in which it noted the progress made in the implementation of decision 10/21,

Taking note of paragraph 38.22 (h) of Agenda 21 3/ which calls for further development of international environmental law,

Taking note also of chapter 39 of Agenda 21,

Taking note also of the Meeting of Senior Government Officials Expert in Environmental Law for the Review of the Montevideo Programme, held in Rio de Janeiro from 30 October to 2 November 1991, and in Nairobi from 7 to 11 September 1992, 54/

Having considered the Executive Director's report on the Programme for the Development and Periodic Review of Environmental Law, 55/

1. Takes note of the report of the Executive Director on the Programme for the Development and Periodic Review of Environmental Law;

2. Notes with appreciation the work of the United Nations Environment Programme in implementing the Montevideo Programme since its adoption by the Governing Council;

3. Adopts the Programme for the Development and Periodic Review of Environmental Law, as contained in the annex to the present decision, as the broad strategy for the activities of the United Nations Environment Programme in the field of environmental law for the 1990s;

4. Requests the Executive Director to implement the Programme, within available resources, inter alia, through preparing and disseminating analytical reports, organizing intergovernmental meetings, and contributing to capacity-building in the field of environmental law;

5. Encourages the Executive Director to implement the Programme, where appropriate, in close cooperation with relevant international organizations;

6. Underlines the role of the United Nations Environment Programme in the continued progressive development of international environmental law as a means for achieving wider adherence to and more efficient implementation of international environmental conventions, and for future negotiating processes for legal instruments in the field of sustainable development, in accordance with paragraph 39.1 (a) of Agenda 21;

54/ See the reports of the Meeting (UNEP/Env.Law/2/3 and UNEP/Env.Law/2-2/3).

55/ UNEP/GC.17/5 and Corr.1, paras. 26-30.

7. Requests the Executive Director to continue to promote the coherent coordination of the functioning of environmental conventions, including their secretariats, with a view to improving the effectiveness of the implementation of the conventions;

8. Decides to review the implementation of the Programme not later than at its regular session in 1997.

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Annex

PROGRAMME FOR THE DEVELOPMENT AND PERIODIC REVIEW OF ENVIRONMENTAL LAW

PROGRAMME AREAS, OBJECTIVES, STRATEGIES AND ACTIVITIES

The following programme areas, together with the respective objectives, strategies and activities, are proposed as a non-exhaustive list of elements for the Programme:

A. Enhancing the capacity of States to participate effectively in the development and implementation of environmental law

Objective:

To achieve the full participation of all States in the development and effective implementation of environmental law and policy.

Strategy:

Strengthen the capacity of States, in particular developing countries and countries with economies in transition, to take measures to protect their environment, to achieve sustainable development and to participate effectively in the initiation, negotiation and implementation of international legal instruments in the field of the environment.

Activities:

Coordinate with relevant international organizations:

(a) To assist States to establish and/or improve institutional and administrative machinery for the development and enforcement of laws and regulations related to the environment and to sustainable development;

(b) To improve arrangements for the receipt, processing and dissemination of information on environmental legislation from national, regional and international sources;

(c) To train appropriate personnel from developing countries and countries with economies in transition by means of the provision of grants and fellowships for training and in-work attachments, as well as by organizing relevant seminars and workshops on environmental law;

(d) To assist States in developing and strengthening relevant national institutions and improving coordination, within Governments among departments and agencies;

(e) To prepare and issue reference material providing information on practices and experiences in the development, negotiation and implementation of environmental law agreements;

(f) To arrange for appropriate financial and/or technical assistance to enable representatives of developing countries and countries with economies in transition to participate in the negotiation of new or in the revision of existing international environmental agreements and in the international operation of such agreements;

(g) To develop, where appropriate, guidelines for the preparation of national legislation for the implementation of international environmental agreements;

(h) To encourage States to develop national environmental action plans or strategies, pursuant to international environmental agreements.

B. Implementation of international legal instruments in the field of the environment

Objective:

To promote the effective implementation of international legal instruments in the field of the environment, in order to achieve their objectives.

Strategy:

Focus on the effective implementation of instruments by, inter alia, assisting the States concerned in considering the establishment of systems of reporting and verification, taking into account the special situation and needs of developing countries.

Activities:

Assist, as appropriate, concerned States and relevant international organizations:

(a) To identify the real causes of non-compliance and provide the maximum possible assistance, especially to developing countries, to facilitate compliance;

(b) To establish efficient and practical reporting systems on the effective, full and prompt implementation of international legal instruments, considering, inter alia, the reporting systems in other fields such as human rights and nuclear activities, providing, where appropriate, for public comments on such reports;

(c) To examine the possibility of establishing verification systems for international legal instruments having regard to the experiences gained, inter alia, under the Montreal Protocol and in other relevant contexts;

(d) To consider the establishment of other appropriate procedures and mechanisms for promoting and facilitating effective, full and prompt implementation of international legal instruments;

(e) To consider appropriate ways in which relevant international bodies, such as UNEP, might contribute towards the further development of such procedures and mechanisms.

C. Adequacy of existing international instruments

Objective:

To encourage parties to international environmental instruments to assess the adequacy of the operation of those instruments with regard to the particular problems they address and for the purpose of better integrating environmental and developmental concerns.

Strategy:

Encourage the States concerned to establish appropriate systems for ascertaining the adequacy of international environmental instruments in effectively responding to the problems they address, even when fully or adequately complied with, and develop additional measures to ensure effective responses to related environmental problems.

Activities:

Encourage, as appropriate, concerned States and international organizations:

(a) To undertake assessments of the adequacy of existing environmental instruments, taking into account the previous studies undertaken in this area, and provide for the inclusion in future environmental instruments of adequate mechanisms for undertaking such assessments. The assessments should:

(i) Look at and beyond the issue of how many States have become parties to a particular instrument;

(ii) Ascertain whether the instrument adopts an adequate strategy for tackling the problem or whether the strategy adopted in the instrument continues to be adequate for tackling the problem and, where lack of effectiveness is identified, consider ways to rectify the problem;

(iii) Utilize scientific and technical reviews, where appropriate by independent experts, of the state of the relevant area of the environment;

(b) To consider appropriate ways in which relevant international bodies, such as UNEP and its Global Environment Monitoring System (GEMS), might contribute to such assessments;

(c) To promote broader accession to existing instruments, whilst being attentive to difficulties that might dissuade non-party States from accession.

D. Dispute avoidance and settlement

Objective:

To develop further the mechanisms to facilitate the avoidance and settlement of environmental disputes.

Strategy:

Develop methods, procedures and mechanisms that promote, inter alia, informed decisions, mutual understanding and confidence-building, with a view to avoiding environmental disputes and, where such avoidance is not possible, to their peaceful settlement.

Activities:

(a) Study and consider methods to broaden and make more effective the current mechanisms, such as the following, for possible inclusion in international legal instruments, where appropriate:

(i) Regular exchange of data and information;

(ii) Assessment of possible environmental impacts of planned measures on other States or areas beyond the limits of national jurisdiction;

(iii) Prior notification and consultation concerning planned measures that may have adverse impacts on other States or in areas beyond the limits of national jurisdiction;

(iv) Monitoring, fact-finding and reporting with regard to matters relating to obligations under the relevant instrument, even when no difference or dispute has yet arisen between the parties;

(v) Procedures to verify compliance through a non-judicial body established by the States parties;

(vi) Compulsory or non-compulsory conciliation, whereby the parties are committed to or voluntarily resort to conciliation by one or more experts whose report and recommendations are not, however, binding upon the parties;

(vii) Compulsory settlement of disputes, where appropriate, by one of the following means:

a. Binding arbitration, in accordance with procedures established under the instrument;

b. Judicial settlement, by submission of the dispute to the International Court of Justice or other relevant international tribunal;

(b) Consider the role that could be and has been played by the relevant international bodies, such as UNEP, in the anticipation, avoidance and resolution of disputes relating to the environment.

E. Legal and administrative mechanisms for the prevention and redress of pollution and other environmental damage

Objective:

To assist States in developing and implementing programmes of action for the prevention and redress of pollution and other environmental damage.

Strategy:

Promote development of legal and administrative measures to facilitate access to information on, and effective identification, control and management of, potentially harmful activities prior to their commencement and during their continuance, and to ensure the availability of appropriate redress for environmental damage.

Activities:

(a) Further develop rules and procedures for appropriate remedies to victims of damage from environmentally harmful activities as well as appropriate provisions for potential victims of such damage by means, inter alia, of:

(i) Equal and non-discriminatory access to national administrative and judicial processes and procedures;

(ii) Use of economic and other innovative incentives for prevention and mitigation of pollution and other environmental damage;

(iii) Mechanisms for compensation and restoration, taking into account their potential preventive effects;

(b) Develop, as necessary, suitable legal instruments, within the framework of global, regional or subregional instruments, on redress, including compensation and restoration, for environmental damage;

(c) Develop, as necessary, suitable legal instruments, for the prevention of environmental damage;

(d) Assist States, in particular developing countries and countries with economies in transition, in the development and implementation of necessary legislation and related administrative and institutional mechanisms for the implementation of relevant international instruments or national policies on the prevention of and redress for environmental damage.

F. Environmental impact assessment

Objective:

To promote widespread use of environmental impact assessment (EIA) procedures by Governments and, where appropriate, international organizations as an essential element in development planning and for assessing the effects of potentially harmful activities on the environment.

Strategy:

Encourage the utilization of EIA as an essential tool for development planning and promotion of the concept of sustainable development.

Activities:

(a) Build upon and elaborate, at the national, subregional and regional levels, existing national and international methods and procedures, taking into account the activities of business and industry, including transnational corporations as well as non-governmental organizations;

(b) Promote general appreciation of EIA procedures by Governments and international organizations, taking into account the need to ensure that the application of EIA procedures takes due account of the capabilities and economic circumstances of developing countries;

(c) Provide assistance to developing countries and other countries in need in the elaboration of their national EIA legislation, methods and procedures;

(d) Promote preparation of regional agreements and guidelines on EIA, as appropriate;

(e) Promote wide acceptance of the principle that public participation is a necessary element of the EIA procedures;

(f) Promote the methods and procedures of EIA as a tool for international cooperation in cases of activities and in particular projects likely to have transboundary effects.

G. Environmental awareness, education, information and public participation

Objective:

To promote public awareness of international environmental issues and regimes through education, provision of information and greater public participation in the consideration of international environmental regimes and the development of national laws, rules and standards.

Strategy:

Adopt and actively pursue public-awareness programmes relating to environmental issues and the development and implementation of international and national regimes concerning the environment and associated institutional mechanisms, in cooperation, wherever appropriate, with other bodies, including governmental and non-governmental organizations and educational institutions.

Activities:

(a) Promote public awareness of environmental instruments, principles and concepts and their integration into education at all levels and into research and development activities;

(b) Promote institutional mechanisms for the availability of educational and informative material on environmental issues;

(c) Facilitate public participation, including increased access to information, at appropriate stages in environmental decision-making, especially with regard to legislative, administrative and enforcement processes at the national and international levels and bearing in mind principle 10 of the Rio Declaration;

(d) Coordinate with relevant international organizations, including organizations which provide financing for educational projects or programmes in developing countries and countries with economies in transition, on projects in this area.

H. Concepts or principles significant for the future of international environmental law

Objective:

To develop further, as appropriate, international environmental law.

Strategy:

Consider concepts or principles which may be applicable to the formation and development of international law in the field of environment and sustainable development.

Activities:

In cooperation with relevant United Nations and other competent international bodies:

(a) Examine existing environmental treaties, as well as other legal instruments, guiding principles and guidelines, with the aim of identifying principles or concepts which may be applicable to the formation and development of international environmental law;

(b) Review and, as appropriate, develop emerging and evolving concepts or principles which may be applicable to the formation and development of international environmental law;

(c) Consider, as appropriate, the further development of environmental rights and responsibilities;

(d) Review the branches of international law relevant to environmental law, with a view to identifying and assessing the emergence of new legal concepts and principles, as well as evolution in the content of established legal concepts and principles, considering their application to the development of international law in the field of environment and sustainable development.

I. Protection of the stratospheric ozone layer

Objective:

To protect human health and environment against adverse effects resulting from or likely to result from human activities which deplete or are likely to deplete the ozone layer.

Strategy:

Promote the widest possible acceptance and effective implementation of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer and its adjustments and amendments and utilize the institutions and mechanisms established under these for further development of national and international programmes to respond to current and future concerns.

Activity:

Promote the widest acceptance of the Vienna Convention and the Montreal Protocol as adjusted and amended and provide appropriate support to States parties to, and mechanisms of, those instruments to facilitate their full implementation.

J. Transboundary air pollution control

Objective:

To promote and develop international cooperation for the prevention and reduction to environmentally acceptable levels of emissions causing transboundary air pollution and their effect which causes damage to the environment.

Strategy:

(a) Consider the possible development of international legal instruments and mechanisms at appropriate levels for the prevention, control and reduction to acceptable levels of emissions causing transboundary air pollution and their effects;

(b) Assist States, in particular developing countries and countries with economies in transition, to promote the development of national arrangements and programmes to prevent, control and reduce emissions causing transboundary air pollution and their effects.

Activities:

(a) Encourage and assist, if necessary, the development of bilateral, subregional and regional cooperative initiatives, as appropriate regarding the activities provided for in paragraph 9.28 (a) of chapter 9 of Agenda 21, including monitoring and assessment procedures, and taking into account any existing relevant instruments;

(b) Consider whether emissions causing transboundary air pollution and their effect might be appropriately addressed at the global level and, if so, what form such action might take;

(c) Encourage and assist the development and implementation of national legislation, institutions and programmes, particularly in developing countries and in countries with economies in transition, including effective enforcement mechanisms.

K. Conservation, management and sustainable development of soils and forests

Objective:

To develop suitable regimes for conservation, management and sustainable development of soils and forests, taking into account the close links between desertification, deforestation, climate change and biological diversity.

Strategy:

In close cooperation with agencies and organizations engaged in such fields as soil conservation, forestry, land use, and desertification, promote the implementation of the World Soil Charter, the relevant elements of the World Conservation Strategy, the Plan of Action to Combat Desertification, the Forest Principles adopted at the United Nations Conference on Environment and Development and the Tropical Forestry Action Plan, by proposing measures for their effective implementation at appropriate levels, through the use, *inter alia*, of arrangements which address problems in these areas in accordance with relevant chapters of Agenda 21.

Activities:

(a) Promote effective implementation of the Plan of Action for the realization of the goals and objectives of the World Soil Charter, including the preparation of guidelines for domestic legislation and related institutional mechanisms;

(b) Develop appropriate arrangements for coordination of the activities of the various bodies engaged in such fields as soil conservation, forestry, land use and desertification;

(c) Contribute, as appropriate, to the development of arrangements, at appropriate levels, establishing agreed strategies and action plans and programmes on these subjects;

(d) Contribute to the development of an international convention to combat desertification pursuant to paragraph 12.40 of chapter 12 of Agenda 21 and in accordance with relevant decisions of the United Nations General Assembly;

(e) Promote the early entry into force of the Convention on Biological Diversity and the Framework Convention on Climate Change, with the widest possible participation;

(f) Promote national and regional arrangements for coordination and cooperation between relevant bodies and institutions;

(g) Promote integrated national and regional policies, as well as education and training programmes for the implementation of such policies;

(h) Promote the implementation of the Forest Principles adopted at the United Nations Conference on Environment and Development and, on the basis of the implementation of the principles, consider the need for, and feasibility of, appropriate internationally agreed arrangements to promote international cooperation on forest management, conservation and sustainable development of all types of forests in accordance with paragraph 11.13 of chapter 11 of Agenda 21.

L. Transport, handling and disposal of hazardous wastes

Objective:

To reduce, control, prevent and eventually eliminate damage and minimize the risk thereof from the generation, management, transport, handling and disposal of hazardous wastes.

Strategy:

Promote wide participation in, and effective implementation of, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and related regional agreements.

Activities:

(a) Encourage wide participation in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal;

(b) Assist developing countries in the formulation and implementation of national legislation and the establishment of related institutional and administrative mechanisms to implement the Basel Convention and related regional agreements;

(c) Provide assistance, upon request, to the parties to the Basel Convention to develop machinery for controlling transboundary movement of hazardous wastes and prepare a protocol on liability and compensation;

(d) Assist the parties to the Basel Convention in their consideration of, the review and revision, as necessary, of the Basel Convention and related regional agreements in the light of experience acquired in their implementation.

M. International trade in potentially harmful chemicals

Objective:

To ensure that international trade in all types of potentially harmful chemicals is conducted in a safe and environmentally sound manner taking due account of the rights of, and fully respecting matters of health and environment of, transit and importing States and, to this end, to ensure the safe and environmentally sound management of potentially harmful chemicals.

Strategy:

Review, update and strengthen the London Guidelines for the Exchange of Information on Chemicals in International Trade, as amended, with particular emphasis on the prior informed consent (PIC) procedure, promote their wide and effective implementation, and consider the development of legally binding instruments and other appropriate programmes.

Activities:

(a) Encourage the widest possible acceptance and effective implementation of the amended London Guidelines;

(b) Update information on the subject, including inputs from the International Register of Potentially Toxic Chemicals (IRPTC) on the implementation of the London Guidelines;

(c) Assist the implementation of the amended London Guidelines through the development of guidelines for national legislation and institutional machinery;

(d) Consider the need for the development of a global convention, taking into account the experience gained in the implementation of the amended London Guidelines and the FAO Code of Conduct on Pesticides, concentrating mainly on the PIC procedure, including the questions relating to the regulation of export of chemicals of which the use is banned or severely restricted in the exporting country;

(e) Strengthen and expand programmes on chemical risk assessment in accordance with paragraph 19.14 of chapter 19 of Agenda 21;

(f) Invite the relevant international bodies to jointly convene an intergovernmental meeting on chemical risk assessment and management;

(g) Assist States in developing community right-to-know or other public information-dissemination programmes, when appropriate, as possible risk reduction tools;

(h) Consider developing a guidance document on community right-to-know or other public information-dissemination programmes for use by interested Governments, building on existing work on accidents and including new guidance on toxic emission inventories and risk communication;

(i) Consider the establishment of a globally harmonized hazard classification system and the elaboration of a harmonized labelling system;

(j) Strengthen consultation of relevant agencies engaged in the field, in order to enhance cooperation and harmonization of their activities;

(k) Assist States in encouraging the development of procedures for the exchange between countries of their assessment reports on chemicals for use in national chemical assessment programmes, as provided in paragraph 19.14 (c) of chapter 19 of Agenda 21;

(l) Pursue the development of a code of ethics on international trade in potentially harmful chemicals aimed at achieving the objectives of the amended London Guidelines;

(m) Promote the strengthening of national capabilities and capacities for the safe and environmentally sound management of chemicals, and the prevention of illegal international traffic in potentially harmful chemicals.

N. Environmental protection and integrated management, development and use of inland water resources

Objective:

To prevent, reduce and control the degradation of inland water resources through the application, as appropriate, of an integrated approach to the development, management and use of water resources, thereby assisting States to prevent disputes and ensure that adequate supplies of water of good quality are maintained for the entire population of this planet.

Strategy:

(a) Encourage the development of cooperative mechanisms between States including, as appropriate, international legal instruments for the protection and integrated management, development and use of transboundary water resources with a view to the prevention, reduction, control and reversal of their degradation and for the prevention and peaceful resolution of disputes between States;

(b) Promote the development of national legislation, institutions and programmes for the protection and efficient management of inland water resources, with particular emphasis on maintaining an adequate supply of safe drinking water, while preserving the hydrological, biological, and chemical functions of ecosystems, adapting human activities within the capacity limits of nature and combating vectors of water-related diseases.

Activities:

(a) Cooperate closely with other bodies dealing with the integrated management, development and use of inland water resources;

(b) Promote and develop legal regimes, as appropriate, for the conservation and integrated management, development and use of transboundary water resources, taking into account, inter alia, the International Law Commission's draft articles on the law of non-navigational uses of international watercourses, the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, and other relevant regional and subregional conventions;

(c) Encourage and assist the development of national legislation, institutions and programmes, including effective enforcement mechanisms;

(d) Identify and propose rules and procedures for dispute prevention and dispute settlement that are suitable for inclusion, as appropriate, in international instruments dealing with the integrated management, development and use of transboundary water resources.

O. Marine pollution from land-based sources

Objective:

To prevent, reduce and control pollution of the marine environment and degradation of coastal areas from land-based sources of pollution, and to reduce or minimize the adverse effects that have already occurred.

Strategy:

Cooperate in the development of regional treaties, protocols or other instruments regarding the degradation of the marine environment from land-based activities, where necessary, update and strengthen the Montreal Guidelines for the Protection of the Marine Environment against Land-based Sources of Pollution and promote their widest possible acceptance by States; and consider the elaboration, if necessary, of a global instrument, in accordance with the relevant provisions of the 1982 United Nations Convention on the Law of the Sea.

Activities:

(a) In cooperation with relevant international organizations, review and, where necessary, strengthen existing bilateral, subregional or regional agreements and protocols or develop new instruments for the protection of the marine environment from land-based sources of pollution;

(b) Review and, where necessary, revise the 1985 Montreal Guidelines for the Protection of the Marine Environment against Land-based Sources of Pollution;

(c) Provide advice to States in the elaboration, adaptation, development and enforcement of national legislation, implementing relevant rules and standards concerning land-based sources of pollution;

(d) On the basis of the experience acquired in the implementation of existing instruments, examine the need for and advisability of developing global rules and standards with or without a treaty;

(e) In pursuance of Agenda 21 (para. 26 of chap. 17), the UNEP Governing Council should convene, as soon as practicable, an intergovernmental meeting on the protection of the marine environment from land-based activities to take forward these tasks.

P. Management of coastal areas

Objective:

To promote the integrated management and sustainable development of coastal areas.

Strategy:

Promote, in cooperation with relevant United Nations and other competent international bodies, the application of the concept of sustainable development in the management of coastal areas and the pursuit, for this purpose, of an integrated approach, through effective action at the national, subregional and regional levels.

Activities:

Develop guidelines for national legislation to implement the principles on integrated management and sustainable development of coastal and marine areas set out in programme area A of chapter 17 (Integrated management and sustainable development of coastal and marine areas, including exclusive economic zones) of Agenda 21.

Q. Protection of the marine environment and the law of the sea

Objective:

To assist States, as appropriate, to promote the protection of the marine environment through the development, and effective implementation of, international law in that field including regional cooperation and those instruments developed under the regional seas programme.

Strategy:

Promote the application of, and respect for, international law related to protection of the marine environment as reflected in the 1982 United Nations Convention on the Law of the Sea and in other relevant international instruments, which law provides the basis on which to pursue protection and sustainable development of the marine environment.

Activities:

(a) Assist States to promote the protection of the marine environment in accordance with chapter 17 of Agenda 21;

(b) Keep under continual review the results of scientific research, with a view to addressing appropriately any environmental problems that could arise in the future in this area;

(c) Support the proposal in Agenda 21 (para. 50 of chap. 17) for the convening under United Nations auspices of an intergovernmental conference on straddling fish stocks and highly migratory fish stocks, taking into account relevant activities at the subregional, regional, and global levels, with a view to promoting effective implementation of the 1982 United Nations Convention on the Law of the Sea.

R. International cooperation in environmental emergencies

Objective:

To achieve effective international, as well as regional, cooperation in the monitoring, assessment, anticipation and prevention of, and response to, environmental emergencies, and to develop appropriate legal arrangements for cooperation and assistance in dealing with environmental emergencies.

Strategy:

Develop, in cooperation with relevant agencies and organizations, necessary arrangements at appropriate levels, and where appropriate on a sectoral basis, for effective cooperation and assistance in dealing with environmental emergencies.

Activities:

(a) In cooperation with relevant agencies and organizations, review the experience gained in the implementation of existing arrangements relating to the handling of environmental emergencies, with a view to identifying areas of possible improvements and provide for arrangements for monitoring, assessment and prevention of environmental emergencies;

(b) Consider the need for the development of instruments and arrangements at the appropriate levels, including those dealing with early notification, cooperation and mutual assistance in environmental emergencies;

(c) Review, in cooperation with relevant United Nations organs and organizations, the operation of the United Nations Centre for Urgent Environmental Assistance established by the Governing Council, with a view to deciding on its continuation after the expiry of the experimental period in 1993;

(d) Upon request of the competent bodies, cooperate with and provide assistance to those bodies in their examination, if found necessary, of existing international rules for the protection of the environment during armed conflict.

S. Additional subjects for possible consideration during the present decade

The following additional subjects have been identified as areas where action by the appropriate international bodies to develop international legal responses may be appropriate during the present decade:

(a) Environmental protection of areas beyond the limits of national jurisdiction;

(b) Use and management of biotechnology, including the question of intellectual and property rights with respect to genetic resources;

(c) Liability and compensation/restitution for environmental damage;

(d) Environment and trade;

(e) Examination of the environmental implications of international agreements on subjects which do not relate directly to the environment;

(f) Environmental problems of human settlements, including their growth;

(g) Transfer of appropriate technology and technical cooperation.

17/26. United Nations Centre for Urgent Environmental Assistance

The Governing Council,

Recalling its decision 16/9 of 31 May 1991, in which the Council established, on an experimental basis, the United Nations Centre for Urgent Environmental Assistance as a mechanism to focus on the assessment of and responses to man-made environmental emergencies, acting in cooperation and in coordination with other United Nations agencies,

Noting paragraph 26 of General Assembly resolution 47/191 of 22 December 1992, in which the Governing Council was invited to report to the Assembly at its forty-eighth session on the experience gained within the Centre,

Further noting paragraph 39.6 of Agenda 21,

Taking note of the efforts made by the Centre to clarify its possible role and functions within the United Nations system,

Taking note of the interest shown in the work of the Centre by Governments and international organizations,

Recognizing that more time is required to draw precise conclusions and define the possible role and functions of the Centre in the United Nations system,

1. Takes note of the report of the Executive Director on the experimental stage of the Centre; 56/

2. Welcomes, with appreciation, the support and assistance extended to the Centre by Governments, the European Community and United Nations agencies;

3. Decides to extend the experimental stage of the Centre for a further twelve months;

4. Further decides that, during the extended period, the Centre should restructure its present activities to focus its capacities to address the following mandate:

(a) To identify the specific needs for emergency assistance of countries facing different types of emergencies leading to environmental damage;

(b) To analyse all international response systems and capacities, to assess the ability of the United Nations and other organizations to respond to environmental emergencies and to identify the main gaps, based on a review of major disasters that have occurred in the last ten years;

(c) To develop, in the light of the findings of the exercise referred to in subparagraphs (a) and (b) of the present paragraph, a set of concrete proposals for the enhancement of the international response capacity, with a special focus on the improvement of the United Nations system in this regard. Such proposals should address clear, practical and cost-effective modalities of collaboration and coordination between the United Nations Environment Programme/United Nations Centre for Urgent Environmental Assistance and the

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56/ UNEP/GC.17/29.

other relevant United Nations bodies, particularly the Department for Humanitarian Affairs;

(d) To convene further the inter-agency working group referred to in the report of the Executive Director 57/ with a view to identifying the appropriate United Nations institutional mechanism for environmental emergency response;

5. Requests the Centre to convene a governmental advisory meeting in November 1993 for a first consideration of the findings and an initial drafting of proposals for decision;

6. Requests the Executive Director to allocate necessary staff and funding to the Centre for fulfilling the mandate referred to in paragraph 4 of the present decision;

7. Further requests the Executive Director to submit a final comprehensive report and recommendations on these questions to Governments through the Committee of Permanent Representatives for decision at the end of the twelve-month period.

10th meeting
21 May 1993

17/27. Action for countries with economies in transition

The Governing Council,

Supporting the proposals regarding the enhancement of regional cooperation put forward by the Executive Director in her statement at the 3rd plenary meeting of the Governing Council at its seventeenth session, on 17 May 1993, 58/

1. Requests the Executive Director to participate fully through the Regional Office for Europe of the United Nations Environment Programme and in coordination with the United Nations Economic Commission for Europe and other international organizations in the follow-up of the 1993 Lucerne Conference on Environment for Europe and, particularly, to consider how the Programme can best assist the countries with economies in transition with their environmental problems;

2. Also requests the Executive Director to inform the Governing Council at its eighteenth regular session of the results obtained.

10th meeting
21 May 1993

57/ Ibid., para. 7.

58/ UNEP/GC.17/27/Add.1.

17/28. The United Nations Environment Programme and the strengthening of the regional offices

The Governing Council,

Fully aware that the United Nations Conference on Environment and Development held in Rio de Janeiro in June 1992 initiated a process that should lead all countries of the world to sustainable development and noting that Agenda 21, 3/ in its paragraph 38.23, states that the regional offices of the United Nations Environment Programme should be strengthened without weakening its headquarters in Nairobi,

Convinced of the need to adjust the existing structures as regards regional cooperation on the environment to the challenges posed by the process initiated in Rio de Janeiro,

Taking into account decisions of meetings in various regions at the level of ministers of environment,

Taking also into account the role of the Commission for Sustainable Development related to paragraphs 21, 22 and 25 of General Assembly resolution 47/191 of 22 December 1992 and paragraphs 38.11 and 38.13 (a) of Agenda 21, on coordination of the United Nations system,

Recalling its decision 15/15 of 25 May 1989 on the regional office system,

1. Requests the Executive Director to review the role and function of regional representation of the United Nations Environment Programme with a view to enhancing the process of strengthening regional and liaison offices by providing greater functional and administrative linkages to allow greater flexibility in the annual programmes;

2. Agrees that the review include consideration of the following factors:

(a) Relevant aspects of Agenda 21 as they relate to the regional role;

(b) The role of the United Nations Environment Programme, its role in relation to Agenda 21 and its programme priorities as determined by the Governing Council at its seventeenth session;

(c) Specific aspects of the role, functions and activities of the United Nations Environment Programme that could be enhanced by regional activity;

(d) Assessment of the specific needs of individual regions;

(e) Scope for cooperation with other multilateral and regional bodies, including opportunities for co-location and sharing of administrative resources;

(f) Regional office communications and networking with individual Governments, particularly with those not represented in Nairobi;

3. Recommends the Executive Director, as appropriate, to revise and develop plans for regional representation, including specific mandates for individual regional offices, and consult with Governments, including through the Committee of Permanent Representatives;

4. Authorizes the Executive Director, within existing authority and resources, to implement the results of the review and the regional mandate with a view to improving the Programme's regional representation;

5. Requests the Executive Director to allocate the financial and human resources necessary for more effective implementation of programmes that are more related to the environmental problems of each region;

6. Further requests the Executive Director to continue making efforts to link the implementation of the regional programmes of the United Nations Environment Programme in a coordinated manner with other international organizations, particularly the United Nations Development Programme and the regional commissions;

7. Requests the Executive Director to inform the Governing Council at its eighteenth session on the Programme's regional representation, regional offices and liaison offices, including:

(a) Information on size and location of regional and liaison offices and outposted staff;

(b) Functions performed by regional representation;

(c) A mandate for the Programme's regional representation;

(d) Advice on action taken to improve the Programme's regional representation;

8. Endorses the relevant decisions taken at the regional ministerial meetings on the environment.

10th meeting
21 May 1993

17/29. Intergovernmental forum on chemical risk assessment and management

The Governing Council,

Recalling the commitment of the United Nations Environment Programme to international cooperation on chemicals through, inter alia, the International Programme on Chemical Safety,

Noting the recommendations of the meeting of government-designated experts, held in London in December 1991, for the establishment of an intergovernmental forum on chemical risk assessment and management,

Noting also the recommendations on the same issue contained in paragraphs 19.75 and 19.76 of Agenda 21, 3/

Further noting the offer of the Swedish Government to host such a meeting on chemical risk assessment and management, in Stockholm in April 1994, 59/

59/ See the report of the Programme Committee at the seventeenth session of the Governing Council (UNEP/GC.17/31), para. 217.

Stressing the important role of the United Nations Environment Programme in promoting, by itself and in cooperation with other United Nations agencies through the International Programme on Chemical Safety, the programme areas in chapter 19 of Agenda 21,

Recognizing the need for early action,

Requests the Executive Director to convene, together with the executive heads of the World Health Organization and the International Labour Organisation, a meeting of experts from Governments and relevant intergovernmental organizations that could constitute the first Intergovernmental Forum on Chemical Risk Assessment and Management and to consider the necessary implications for the 1994-1995 programme budget.

10th meeting
21 May 1993

17/30. *Convention on Biological Diversity*

The Governing Council,

Welcoming the conclusion of the Convention on Biological Diversity and its subsequent signing by one hundred and sixty-one States and the European Communities and its subsequent ratification by sixteen States,

Noting with appreciation the initiative of the Executive Director in actively pursuing the implementation of the Nairobi Final Act, [60]

1. *Calls upon* States that have not yet done so to sign the Convention on Biological Diversity and upon signatories of the Convention that have not yet done so to ratify, accept or approve it at the earliest opportunity;

2. *Establishes* an Intergovernmental Committee on the Convention on Biological Diversity to prepare for the first meeting of the Conference of the Parties to the Convention in accordance with resolution 2 of the Nairobi Final Act of the Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity;

3. *Requests* the Executive Director to convene meetings of the Intergovernmental Committee and to implement the decisions of the Intergovernmental Negotiating Committee for a Convention on Biological Diversity on action to prepare for the first meeting of the Conference of the Parties to the Convention on Biological Diversity, including preparatory work on issues particularly referred to in resolutions 1, 2 and 3 of the Nairobi Final Act.

10th meeting
21 May 1993

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[60] See UNEP/GC.17/5/Add.4, part I.

17/31. The environmental situation in the occupied Palestinian and other Arab territories

The Governing Council,

Recalling the decisions of the Governing Council on the environmental situation in the occupied Palestinian and other Arab territories, and relevant resolutions and decisions of the Security Council, the General Assembly and the Economic and Social Council,

Recalling also the results of the United Nations Conference on Environment and Development, particularly principle 23 of the Rio Declaration on Environment and Development, 8/

Taking note of the Executive Director's report on the environmental situation in the occupied Palestinian and other Arab territories, 61/

Noting the ongoing Middle East peace negotiations,

1. *Expresses its concern* over the deterioration of the environmental conditions in the occupied Palestinian and other Arab territories, and stresses the need for protecting their environment and their natural resources;

2. *Welcomes* the contents of the Executive Director's report, commends the cooperation extended by most of the parties concerned to the United Nations team in preparing the study contained in the report, and requests the Executive Director to implement the recommendations contained therein;

3. *Requests* the Executive Director to complete and update the report on the state of the environment in the occupied Palestinian and other Arab territories and submit this report to the Council at its eighteenth regular session;

4. *Also requests* the Executive Director to provide the necessary technical assistance in Palestinian institutional and self-capacity-building in the field of the environment, including training in the relevant necessary fields;

5. *Invites* all the parties concerned to provide the necessary assistance to the Executive Director to implement the present decision.

10th meeting
21 May 1993

61/ UNEP/GC.17/Inf.12 and Corr.1.

17/32. The Environment Fund: use of resources in 1992-1993 and proposed use of projected resources in 1994-1995 and 1996-1997

The Governing Council,

Having considered the reports of the Executive Director on the Environment Fund covering the use of resources in 1992-1993 and the proposed use of projected resources in 1994-1995 and 1996-1997 62/ and on the proposed programme of Fund activities for the biennium 1994-1995, 63/

1. Notes that the proposed programme is a transitional document which will have to be further developed in the future in order to incorporate changes required by documents as adopted by the United Nations Conference on Environment and Development;

2. Reaffirms that the process of implementation of Agenda 21 3/ must be developed in close cooperation with the Commission on Sustainable Development, in accordance with relevant provisions of Agenda 21;

3. Requests the Executive Director to implement Agenda 21 in accordance with its relevant provisions and the mandate of the United Nations Environment Programme, taking into consideration the specific needs and conditions of each region;

4. Requests the Executive Director to present to the Council at its next session, whether special or regular, her estimates of the costs for the Programme fully to implement those parts of Agenda 21 specifically recommended for the United Nations Environment Programme's attention;

5. Reaffirms that, in conformity with Agenda 21 and in order to be able to exercise all the functions assigned to it in Agenda 21, the United Nations Environment Programme requires access to greater expertise and provision of adequate financial resources, particularly in accordance with chapters 33 and 38 of Agenda 21;

6. Considers that, in the process of assigning priorities for financing by the programme of Fund activities, duplication of efforts by other organizations should be avoided and, whenever possible, programmes and activities of the United Nations Environment Programme should be complemented by additional activities supported by funding from other sources, including international funds;

7. Notes with concern that contributions in 1992 and pledges for 1993 have not only fallen short of the target established by the Council but that they will be insufficient to finance the Fund programme activities approved by the Council at its sixteenth session;

8. Recognizes the need to broaden the base of contributions to the Environment Fund and calls upon all Governments in a position to do so to contribute to the Environment Fund or, where they are already contributing, to increase their contributions on a voluntary basis;

62/ UNEP/GC.17/16 and Add.1.

63/ UNEP/GC.17/7 and Corr.1.

9. Urges Governments to make their pledges in advance of the year to which they relate and to pay their contributions early in the year in order for the secretariat to plan and execute the programme more effectively and avoid unnecessary carry-over of funds;

10. Takes note of the revised allocations for 1992-1993 Fund programme activities; 64/

11. Reaffirms the catalytic role of the United Nations Environment Programme;

12. Underlines that high priority should be given to activities which give direct or indirect substantial support to developing countries;

13. Welcomes the broad approach of the Executive Director to the programme activities of the United Nations Environment Programme, which has been taken into account in determining the priorities for the United Nations Environment Programme as indicated in the present decision;

14. Approves an appropriation of 120/130 million dollars for a core Fund programme activity for the biennium 1994-1995 and decides to apportion this appropriation as follows:

Subprogramme/budget line	Percentage
1. Protection of the atmosphere	3
2. Environmental management of freshwater resources	8
3. Environmental management of terrestrial ecosystems and their resources	16
4. Environmental management of all kinds of seas and coastal area management	9
5. Environmental health, settlements and human welfare	6
6. Environmental economics, accounting and management tools	4
7. International law on sustainable development, environmental law, institutions and policies	4
8. Toxic chemicals and waste management	4
9. Industry, energy and the environment	6
10. Earthwatch data, information, assessment and early-warning	13

Subprogramme/budget line	*Percentage*
11. Capacity-building for environmentally sound and sustainable development, including the establishment of international environmentally sound technology centres	18
12. Support to and cooperation for environmental action (including global and regional cooperation)	9

15. *Approves* an additional appropriation of up to 10 million dollars for use as and when additional resources become available for a supplementary programme, in particular for further implementation of Agenda 21;

16. *Approves* an appropriation of 5 million dollars to the Fund programme reserve for the biennium 1994-1995;

17. *Reconfirms* the Executive Director's authority to adjust the apportionment for each budget line by 20 per cent, within each of the above appropriations for Fund programme activities in 1994-1995;

18. *Further emphasizes* the need to maintain the liquidity of the Fund at all times;

19. *Authorizes* the Executive Director to enter into forward commitments not exceeding 20 million dollars for Fund programme activities in 1996-1997;

20. *Also requests* the Executive Director to report to the Committee of Permanent Representatives at its regular meetings on matters relating to programme implementation and planning.

10th meeting
21 May 1993

17/33. Programme and programme support costs budget of the Environment Fund: revised estimates for the biennium 1992-1993 and proposed budget for the biennium 1994-1995

The Governing Council,

Recalling paragraph 5 of its decision 16/45 of 31 May 1991, by which it approved an initial appropriation of $37,129,000 for the programme and programme support costs budget for the biennium 1992-1993, including $1,888,900, on a loan basis, towards the construction of new office accommodation,

Further recalling paragraph 6 of its decision 16/45 of 31 May 1991 by which it approved a further supplementary appropriation of $3,701,600, including $1,601,100 on a loan basis towards construction of new office accommodation, and $2,100,500 to be used by the Executive Director for the creation of new posts if and when sufficient resources became available to permit allocations for Fund programme and Fund programme reserve activities in the amount of $185 million,

Having considered the performance report on the programme and programme support costs budget for the biennium 1992-1993 as well as the proposed budget for the biennium 1994-1995, as set out in the Executive Director's report, 65/ together with the related comments of the Advisory Committee on Administrative and Budgetary Questions, 66/

1. Takes note of the performance report on the programme and programme support costs budget for the biennium 1992-1993 and the related report of the Advisory Committee on Administrative and Budgetary Questions;

2. Notes that the Executive Director was able to contain the programme and programme support costs in 1992 within the yardstick established in paragraph 2 of Governing Council decision 12/19 of 28 May 1984 of 33 per cent of estimated contributions and that the Executive Director will endeavour to do so in 1993;

3. Approves revised appropriations of $37,818,600 for the programme and programme support costs budget for 1992-1993, including $3,490,000 on a loan basis towards the construction of new office accommodation, with the revised distribution by programme and object of expenditure proposed by the Executive Director;

4. Approves an initial appropriation of $41,829,500 for the programme and programme support costs budget for the biennium 1994-1995 with the expenditure pattern by programme and object of expenditure proposed in those estimates;

5. Authorizes the Executive Director, within the appropriation set out in paragraph 4 of the present decision to maintain, direct or establish such technical posts as are necessary to implement the programme deriving from the priorities set out in Governing Council decision 17/32 of 21 May 1993, relating to the proposed use of projected resources for the biennium 1994-1995;

6. Requests the Executive Director to administer the appropriation for the programme and programme support costs budget for the biennium 1994-1995 with utmost economy and restraint consistent with the effective implementation of the environment programme, bearing in mind the availability of resources and the need to avoid the unnecessary increase of administrative costs to the detriment of programme implementation;

7. Encourages the Executive Director to tailor the training programmes to the specific needs of the staff with a view to achieving enhanced efficiency and productivity;

8. Further requests the Executive Director to report to the Governing Council at its eighteenth regular session on the implementation of the programme and programme support costs budget during the first year of the biennium 1994-1995.

10th meeting
21 May 1993

65/ UNEP/GC.17/17.

66/ UNEP/GC.17/L.1.

17/34. On-site interpretation facilities at Gigiri, Nairobi

The Governing Council

1. *Takes note* of the report of the Executive Director on on-site interpretation facilities at Gigiri, Nairobi; 67/

2. *Requests* the Executive Director to keep this matter under review and to report thereon to the Council if and when the provision of on-site interpretation facilities at Gigiri, Nairobi, becomes financially advantageous;

3. *Requests* the Executive Director to plan, to the extent possible, to hold United Nations Environment Programme and United Nations Centre for Human Settlements (Habitat) meetings consecutively in order to reduce costs, and further to encourage coordination with other organizations for the same purpose.

10th meeting
21 May 1993

17/35. Periodicity and duration of sessions of the Governing Council

The Governing Council,

Recalling General Assembly resolution 42/185 of 11 December 1987 on a biennial cycle of sessions of the Governing Council of the United Nations Environment Programme,

Also recalling General Assembly resolution 47/190 of 22 December 1992 on the report of the United Nations Conference on Environment and Development,

Noting in particular General Assembly resolution 47/191 of 22 December 1992 on institutional arrangements to follow up the United Nations Conference on Environment and Development,

Conscious of the importance of the role and responsibilities of the Council in following up the United Nations Conference on Environment and Development,

Confirms that the biennial cycle of meetings of the Governing Council shall be retained, but that there shall be flexibility for the Governing Council to call for special sessions, as deemed necessary.

10th meeting
21 May 1993

17/36. Provision of language facilities for the Committee of Permanent Representatives

The Governing Council,

Recalling its decision 13/2 of 23 May 1985, in which it decided to establish, in accordance with rule 62 of its rules of procedure, an open-ended Committee of Permanent Representatives, and its decision 14/4 of 18 June 1987,

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67/ UNEP/GC.17/3.

in which it decided that the Committee of Permanent Representatives should meet with the Executive Director at least four times a year,

Also recalling General Assembly resolution 46/185 C, section XI, paragraph 2, of 20 December 1991 which referred, inter alia, to the financing of meetings of the Committee of Permanent Representatives,

Noting that in 1992 and the first half of 1993 the costs incurred for interpretation facilities for the Committee of Permanent Representatives have been borne by the regular budget of the United Nations,

Bearing in mind its decision 15/12 of 25 May 1989, by which it recognized the requirements for full language services for meetings of the Committee of Permanent Representatives,

Having considered the Executive Director's report on the provision of language facilities for meetings of the Committee of Permanent Representatives 68/ and bearing in mind that the majority of countries took the view that these costs should be borne in full by the regular budget of the United Nations,

Urges the Executive Director to request the Secretary-General to reconsider his proposal on the financing of interpretation facilities for the Committee of Permanent Representatives, with a view to having the costs borne by the regular budget of the United Nations.

10th meeting
21 May 1993

17/37. Reduction of Governing Council documentation

The Governing Council,

Recalling its decisions 14/5 of 17 June 1987 and 16/5 of 31 May 1991 on the rationalization of Governing Council documentation,

Concerned about the growing volume of documentation being submitted to sessions of the Governing Council,

Desirous of reducing the number and volume of documents being submitted to the Council,

Noting the advantages of having some reports, particularly purely informative reports such as those on the implementation of Governing Council decisions, submitted directly and immediately to Governments or through the Committee of Permanent Representatives, instead of to the Governing Council itself,

1. Decides to mandate the Bureau to review each draft decision which contains a request for reporting, with a view to suggesting to the sponsors how such reporting might best be implemented;

68/ UNEP/GC.17/17/Add.1.

2. Requests the Executive Director to continue to submit policy documents such as budget, programme and similar reports directly to the Governing Council but, whenever possible, send information documents, studies, and selected reports to Governments, when applicable through the Committee of Permanent Representatives, but not as official documents of the Council;

3. Also requests the Executive Director to take steps to avoid overlap between the various reports she submits to the Governing Council and to continue to prepare concise summaries of, or preambles to, the documents;

4. Authorizes the Executive Director to present to future Council sessions the executive summaries of Annual Reports as information documents;

5. Requests the Executive Director to explore the use of brief footnotes instead of lengthy quotations in her reports;

6. Also requests the Executive Director to continue the close dialogue between the Committee of Permanent Representatives and the Secretariat as a means of exchanging information as well as of further reducing the volume of documentation to sessions of the Council.

10th meeting
21 May 1993

17/38. Improvement of facilities at the United Nations Office at Nairobi

The Governing Council,

Recalling its decision 16/1 of 31 May 1991, in which it requested the Executive Director to continue negotiations with the host Government with a view to improving the facilities available at the headquarters office of the United Nations Environment Programme at Nairobi,

Having considered the report of the Executive Director on the issue, [69]

Recognizing the specific need for improved communication facilities at the headquarters of the United Nations Environment Programme in Nairobi, in order to enable Governments and their representatives in various meetings to communicate efficiently with their respective missions and capitals,

1. Notes the report of the Executive Director on the improvement of facilities at the United Nations Office at Nairobi;

2. Expresses its gratitude to the Government of the Republic of Kenya for the assistance that it has provided the Executive Director in improving the facilities at the United Nations Environment Programme headquarters;

3. Urges the Government of the Republic of Kenya to continue to assist the Executive Director in improving the facilities at the United Nations Environment Programme headquarters;

4. Requests the Executive Director to consider in her planning for further improvement of communication facilities at the headquarters office the

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[69] UNEP/GC.17/21 and Add.1.

provision of such facilities - for local use - to delegations participating in meetings of the United Nations Environment Programme, as well as to the Permanent Representatives to the Programme;

5. Requests the Executive Director to keep under review the issue of using electronic mail to distribute official documents of the Governing Council to Governments;

6. Expresses its gratitude to those Governments that have expressed their intent to participate in the generous donation of sixteen satellite ground stations to the United Nations Environment Programme;

7. Approves the Executive Director's proposal to finalize an agreement with the participants in the Mercure project in full prior consultation with and with the consent of the Government of Kenya, taking into consideration the telecommunication facilities in place, so as to enable the project to be implemented expeditiously;

8. Agrees that in 1995 any recurrent costs of the Mercure project as amended in the light of paragraph 7 of the present decision should be charged to the Fund programme reserve and that all proposals for recurrent costs should be submitted to the Council for approval at its eighteenth regular session;

9. Requests the Executive Director to explore the feasibility of extending the Mercure network of satellite stations to other agencies and developing countries as rapidly as possible.

10th meeting
21 May 1993

17/39. Management of trust funds and counterpart contributions

The Governing Council,

Having considered the report of the Executive Director on management of trust funds and counterpart contributions, 70/

1. Takes note of the report of the Executive Director on the management of trust funds and counterpart contributions and of the developments relating to trust funds administered by the Executive Director, as described in the Annual Report for 1991;

2. Expresses its appreciation to Governments, intergovernmental and non-governmental organizations and other institutions that have increased their support to the United Nations Environment Programme by means of contributions to trust funds, while agreeing that it is preferable that support to the Programme be in the form of increased contributions to the Environment Fund;

3. Also expresses its appreciation to Governments, intergovernmental and non-governmental organizations and other institutions that have contributed counterpart funds often upon the request of the Executive Director;

4. Notes that all the trust funds established within the framework of the Environment Fund should be considered in accordance with Article V of the

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70/ UNEP/GC.17/19.

General Procedures Governing the Operations of the Fund of the United Nations Environment Programme; 71/

5. *Notes* that the Executive Director will apply, *mutatis mutandis*, the financial policies and procedures of the Secretary-General which relate to trust funds; 72/

6. *Notes also* that the efforts aimed at reducing the number of trust funds did not meet with the approval of participating Governments; 73/

7. *Notes and approves* the establishment of the following general trust funds by the Executive Director, under the General Procedures Governing the Operations of the Fund of the United Nations Environment Programme, since the sixteenth session of the Governing Council:

(a) Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, expiry date 31 December 1994;

(b) Trust Fund to Assist Developing Countries and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, expiry date 31 December 1994;

(c) Trust Fund for the Establishment of the Interim Secretariat of the Biological Diversity Convention, expiry date 31 December 1996;

8. *Notes and approves* the establishment of the following technical cooperation trust funds by the Executive Director, under the General Procedures Governing the Operations of the Fund of the United Nations Environment Programme, since the sixteenth session of the Governing Council:

(a) Technical Cooperation Trust Fund for UNEP's Implementation of the Activities Funded by the Multilateral Fund Established under the Montreal Protocol, expiry date 31 December 1993;

(b) Technical Cooperation Trust Fund for the Establishment of the International Environmental Technology Centre in Japan, expiry date 31 December 1993;

9. *Notes and approves* the establishment by the Executive Director, under the General Procedures Governing the Operations of the Fund of the United Nations Environment Programme, on a contingency basis, of the following technical cooperation trust funds:

(a) Technical Cooperation Trust Fund on Land Degradation Assessment and Mapping (financed by the Government of the Netherlands);

(b) Technical Cooperation Trust Fund for the Provision of Junior Professional Officers (financed by the Government of Belgium);

71/ Ibid., paras. 5-6.

72/ See UNEP/GC.17/19, para. 7.

73/ Ibid., para. 11.

10. Notes and approves the following changes in the names of some general and technical cooperation trust funds:

(a) Technical Cooperation Trust Fund for UNEP's Implementation of the Multilateral Fund Activities: formerly the Technical Cooperation Trust Fund for UNEP's Implementation of the Activities Funded by the Interim Multilateral Fund Established under the Montreal Protocol;

(b) Trust Fund for the Multilateral Fund under the Montreal Protocol on Substances that Deplete the Ozone Layer: formerly the Trust Fund for the Interim Multilateral Fund under the Montreal Protocol on Substances that Deplete the Ozone Layer;

(c) Trust Fund for the Financing of the New International Environment Prize: formerly the Trust Fund for the Sasakawa Environment Prize;

11. Notes and approves the extension of the following general trust funds by the Executive Director:

(a) Regional Trust Fund for the Implementation of the Action Plan for the Caribbean Environment Programme, to be extended through 31 December 1995;

(b) Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora, to be extended through 31 December 1998;

(c) Trust Fund for the Multilateral Fund under the Montreal Protocol on Substances that Deplete the Ozone Layer, to have an open expiry date;

(d) Trust Fund for the Convention on Conservation of Migratory Species of Wild Animals, to be extended through 31 December 1994;

(e) Trust Fund for the Environmental Training Network in Latin America and the Caribbean, to be extended through 31 December 1994;

12. Notes and approves the extension of the following technical cooperation trust funds by the Executive Director:

(a) Technical Cooperation Trust Fund to Provide Consultancies to Developing Countries (financed by the Government of Finland), to be extended through 31 December 1994;

(b) Technical Cooperation Trust Fund to Support the Clearing-house Mechanism with Consultancies on Strategies for Dealing with Serious Environment Problems (financed by the Government of Norway), to be extended through 31 December 1993;

(c) Technical Assistance Trust Fund for the Integrated Pilot Project on Environmental Management and Protection of Andean Ecosystems (financed by the Government of Germany), to be extended through 31 December 1993;

(d) Technical Cooperation Trust Fund for Financing of Professional Officers (financed by the Government of the Republic of Korea) to be extended through 31 December 1993;

13. Approves the extension of the following general trust funds by the Executive Director, subject to the Programme receiving requests to do so from the relevant Governments of the region or contracting parties:

(a) Regional Seas Trust Fund for the Eastern African Region, to be extended through 31 December 1995;

(b) Regional Trust Fund for the Implementation of the Action Plan for the Protection and Development of the Marine Environment and Coastal Areas of East Asian Seas, to be extended through 31 December 1995;

(c) Regional Trust Fund for Protection and Development of the Marine Environment and Coastal Areas of Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, to be extended through 31 December 1995;

(d) Trust Fund for Protection of the Mediterranean Sea against Pollution, to be extended through 31 December 1995;

(e) Trust Fund for the Protection and Development of the Marine Environment and Coastal Areas of the West and Central African Region, to be extended through 31 December 1995;

14. Approves the extension of the following technical cooperation trust funds by the Executive Director, subject to the conclusion of agreements on the required extensions:

(a) Technical Cooperation Trust Fund for Control of Environmental Health Hazards and Promotion of Chemical Safety (financed by the Government of Germany), to be extended through 31 December 1993;

(b) Technical Cooperation Trust Fund for Activities in Developing Countries on Environmental Awareness and Machinery (financed by the Government of Germany), to be extended through 31 December 1994;

(c) Technical Cooperation Trust Fund for Establishment of a Global Resource Information Database (GRID) Centre in Arendal (financed by the Government of Norway), to be extended in line with the date to be agreed;

(d) Technical Cooperation Trust Fund for UNEP's Implementation of the Activities Funded by the Global Environment Facility, to be extended through 31 December 1995;

(e) Technical Cooperation Trust Fund to Provide Experts to UNEP/GRID (financed by the Government of Denmark), to be extended in line with the date to be agreed;

(f) Technical Cooperation Trust Fund for UNEP's Implementation of the Multilateral Fund Activities, to have an open expiry date;

(g) Technical Cooperation Trust Fund to Assist the Implementation of the Montreal Protocol on Substances that Deplete the Ozone Layer in Developing Countries (financed by the Government of Sweden), to be extended through 31 December 1995;

(h) INFOTERRA Technical Cooperation Trust Fund (financed by the Government of the United States), to be extended through 31 December 1995;

(i) Technical Cooperation Trust Fund to Develop and Coordinate the Implementation of the Plan for the Survey, Assessment and Dealing with the Consequences of Environmental Damage Caused by Conflict between Kuwait and Iraq, to be extended through 31 December 1993;

(j) Technical Cooperation Trust Fund to Promote Technical Cooperation and Assistance in Industrial, Environmental and Raw Material Management (financed by the Government of Sweden), to be extended through 31 December 1995;

(k) Technical Cooperation Trust Fund to Assist Developing Countries to Take Action for the Protection of the Ozone Layer under the Vienna Convention and Montreal Protocol (financed by the Government of Finland), to be extended through 31 December 1993;

15. Notes and approves the closure of the following general and technical cooperation trust funds and special account by the Executive Director:

(a) Special Account to Finance the Implementation of the Plan of Action to Combat Desertification;

(b) Technical Cooperation Trust Fund for Provision of a Forestry Officer (financed by the Government of the United States);

(c) The United Nations Trust Fund for the Environment Stamp Conservation Fund;

(d) Technical Cooperation Trust Fund to Provide Experts to the UNEP Ozone Layer Secretariat (financed by the Government of the United States);

(e) Technical Cooperation Trust Fund to Provide Experts to UNEP to Assist in the Development and Implementation of Policy Response Options Related to Climate Change (financed by the Government of the Netherlands);

16. Notes and approves the acceptance by the United Nations Environment Programme of a 137,209 dollar counterpart contribution from Dentsu Incorporated, towards the Earth Day ceremony in 1992;

17. Notes the proliferation of trust funds administered by the United Nations Environment Programme and the concern that this may lead to a long-term imbalance in resources and requests the Executive Director to monitor and evaluate the consequences for the operation of the Programme of this proliferation and review the options for checking the proliferation of such funds administered by the United Nations Environment Programme, with a view to submitting proposals for their rationalization and coordination, as appropriate, and report thereon to the Council at its eighteenth regular session.

10th meeting
21 May 1993

17/40. The Global Environment Facility

The Governing Council,

Having considered the note of the Executive Director on the Global Environment Facility, [74]

1. Approves the actions of the Executive Director in guiding the participation of the United Nations Environment Programme in the pilot phase of the Global Environment Facility;

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[74] UNEP/GC.17/23.

2. Requests the Executive Director to continue to cooperate closely and effectively with the World Bank and the United Nations Development Programme in the successful completion of the pilot phase, bearing in mind the United Nations Environment Programme's particular mandate as the principal body in the United Nations system for environmental matters and the intellectual resources which it can provide;

3. Notes the recommendations of chapter 33 of Agenda 21 3/ and the relevant provisions of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity and the progress achieved by the participants in the Global Environment Facility and the implementing agencies in outlining the restructuring of the Facility;

4. Also notes the invitation to the agencies responsible for the implementation of the Global Environment Facility to undertake the operation of a funding arrangement for the Convention on Biological Diversity, in accordance with Article 21 of the Convention, on an interim basis until the first meeting of the Conference of the Parties; 75/

5. Further notes that the United Nations Framework Convention on Climate Change provides for the Global Environment Facility to be the international entity entrusted with the operation of the financial mechanism, on an interim basis, on the condition that the Facility be appropriately restructured, in accordance with the relevant articles of the Convention;

6. Requests the Executive Director, without prejudice to the ongoing process of restructuring the Global Environment Facility, to strengthen the role of the United Nations Environment Programme as a full partner with the other implementing agencies of a restructured Facility;

7. Expresses its appreciation for the role played by the United Nations Environment Programme, partly through the Scientific and Technical Advisory Panel, in the Global Environment Facility and calls for greater transparency in selection of the members of the Scientific and Technical Advisory Panel;

8. Requests the Executive Director to explore the possibility of the Facility's support for financing of programme areas in Agenda 21 falling within the mandate of the United Nations Environment Programme in so far as they relate to the programme areas of the Facility, as they will be defined by the restructured Facility;

9. Also requests the Executive Director to include in her Annual Reports an account of the participation of the United Nations Environment Programme in the Global Environment Facility, with regular interim reports to the Committee of Permanent Representatives.

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21 May 1993

75/ Resolution 1, paragraph 1, adopted on 22 May 1992 by the Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity.

17/41. Financial management and structure of the United Nations Environment Programme, including presentation of financial information and the budget of the United Nations Environment Programme

The Governing Council,

Noting the report of the Committee of Permanent Representatives on proposals for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate 76/ and, in particular, paragraphs 10-11 thereof, concerning, inter alia, the financial management and structure of the United Nations Environment Programme,

1. Requests the Executive Director, given the need to achieve greater transparency and comprehensibility in the budget format of the Programme, to take steps to revise the present format of the budgets in such a manner that a clear distinction is maintained between programme delivery and administrative overheads, as follows:

(a) A Fund programme activities budget that should include only programme management and delivery, principally in the form of projects;

(b) An administrative and programme support costs budget that should include only those cross-cutting technical and administrative services that support all substantive subprogrammes;

2. Requests the Executive Director to ensure that future budget presentations of the United Nations Environment Programme be harmonized to contain in one document:

(a) Information on actual expenditure against budgets of the previous years and bienniums, revised estimates against approved budgets of the current year and biennium and proposed budgets for the following years and bienniums;

(b) Information on the Fund programme activities budget, the administrative and programme support costs budget and on all allocations from the regular budget of the United Nations to the United Nations Environment Programme;

3. Also requests the Executive Director to base the future budget presentations on a consolidated report containing all relevant information on the financial situation of the Fund, namely on all sources of income and expenditures, in particular actual resources and use of resources in the previous years and bienniums as well as estimated availability of resources and proposed use of resources for the current and future years and bienniums;

4. Further requests the Executive Director to provide definitions and rules for deciding what expenditure should be charged to which budget;

5. Further requests the Executive Director to report to and consult with the Committee of Permanent Representatives on a regular basis on progress on implementation of the present decision;

76/ UNEP/GC.17/L.2.

6. *Also requests* the Executive Director to submit the revised 1994-1995 and proposed 1996-1997 budgets of the United Nations Environment Programme to the Governing Council at its eighteenth session in the new format;

7. *Further requests* the Executive Director to report to the Governing Council at its eighteenth regular session on the implementation of paragraphs 1-6 of the present decision;

8. *Also requests* the Executive Director to inform and consult with the Committee of Permanent Representatives on a quarterly basis on:

(a) The financial situation of the Fund;

(b) The implementation of activities against budgets;

(c) Information on the staffing against established posts, and posts established by projects, trust funds, counterpart and other contributions and consultancies exceeding one month's duration;

(d) Information on all contracts concluded between the United Nations Environment Programme and cooperating agencies, supporting organizations or individuals.

10th meeting
21 May 1993

17/42. Report of the Committee of Permanent Representatives on proposals for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate

The Governing Council,

Recalling paragraph 11 of its decision SS.III/2 of 5 February 1992, by which it, *inter alia*, invited the Committee of Permanent Representatives to study and prepare proposals for the seventeenth session of the Governing Council for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate,

Having considered the report of the Committee of Permanent Representatives prepared pursuant to the request contained in decision SS.III/2, 76/

1. *Takes note* of the report of the Committee and the proposals contained therein;

2. *Decides* that the report shall be circulated as an annex to the proceedings of the Council at its seventeenth session. 77/

10th meeting
21 May 1993

77/ UNEP/GC.17/32.

17/43. *Development of the role of the Committee of Permanent Representatives*

The Governing Council,

Noting the report of the Committee of Permanent Representatives on proposals for enhancing the effectiveness and efficiency of the United Nations Environment Programme in fulfilling its mandate 76/ and, in particular, paragraphs 8-9 thereof, concerning, inter alia, the need to clarify and develop some aspects of the role of the Committee,

1. *Decides* that the Committee of Permanent Representatives shall meet regularly and assess, in cooperation with the Executive Director, the implementation of Governing Council decisions, especially the execution of programme activities and their budgetary implications;

2. *Requests* the Executive Director to provide the Committee of Permanent Representatives, sufficiently in advance of its meetings, with whatever information the Committee requires on the matters it decides to put on its agenda. The Committee of Permanent Representatives will make recommendations on these and present them to the Executive Director for consideration and further reporting to it.

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21 May 1993

17/44. *Tribute to Dr. Mostafa K. Tolba, the former Executive Director of the United Nations Environment Programme*

The Governing Council,

Taking into consideration the retirement of Dr. Mostafa K. Tolba, the former Executive Director of the United Nations Environment Programme,

Taking further into consideration his services within the United Nations Environment Programme since its inception, and his tenure of the position of Executive Director for a period of seventeen years,

Appreciative of his efforts to consolidate and strengthen the Programme and its activities,

Taking note of his achievements in sensitizing the world towards environmental awareness and inclusion and consideration of environmental concerns as a global issue,

Expresses deepest gratitude and appreciation to Dr. Tolba for fulfilling his responsibilities as Executive Director of the United Nations Environment Programme and for his prominent role in the field of the environment.

10th meeting
21 May 1993

Other decision

Provisional agenda, date and place of the eighteenth session of the Governing Council

1. At its 9th plenary meeting, on 20 May 1993, the Governing Council decided, in accordance with rules 1, 2 and 4 of its rules of procedure, to hold its eighteenth session at Nairobi from 15 to 26 May 1995.

2. The Council also decided that the informal consultations among heads of delegations should be held in the afternoon of Sunday, 14 May 1995, the day before the opening of the session.

3. The Council approved the following provisional agenda for the eighteenth session:

   1. Opening of the session.
   2. Organization of the session:
      (a) Election of officers;
      (b) Adoption of the agenda and organization of the work of the session.
   3. Credentials of representatives.
   4. Policy issues:
      (a) State of the environment;
      (b) Emerging policy issues;
      (c) Coordination and cooperation within the United Nations.
   5. Implementation of Agenda 21.
   6. Environment and economics.
   7. Administrative and budgetary matters.
   8. Provisional agenda, date and place of the nineteenth session of the Council.
   9. Other business.
   10. Adoption of the report.
   11. Closure of the session.
